

balance of commonsense and perspective in pursuing, as traditional, our high ideals. The theme is best expressed in his farewell message to the American people.

"The President said—and I quote: '\*\*\* there is a great need to maintain balance in and among national programs—balance between the private and the public economy; balance between cost and hoped-for advantage; balance between the clearly

necessary and the comfortably desirable; balance between our essential requirements as a nation and the duties imposed by the Nation upon the individual; balance between actions of the moment and the national welfare of the future. Good judgment seeks balance and progress; lack of it eventually finds imbalance and frustration.'

"As our beloved President leaves the highest office in our land—after almost half a

century of great devoted service to our country, there go with him best wishes, not only of our own people, but of millions of citizens around the globe; prayers for his personal happiness and well-being; and the great hope for the opening of new doors of opportunity through which he will be able to bring his great prestige, love and respect—well deserved—to further serve our country in the future," Senator WILEY concluded.

## SENATE

SATURDAY, JANUARY 21, 1961

The Senate met at 10 o'clock a.m., and was called to order by the Vice President, LYNDON BAINES JOHNSON.

Rev. John Barclay, D.D., minister, Central Christian Church, Austin, Tex., offered the following prayer:

Eternal God, our Father, we pause to acknowledge Thy presence, and thank Thee for it. And since no sparrow falls without Thy knowledge, surely no nation can rise without Thy help.

We ask Thy help, guidance, and blessing upon this great body of national leaders, with one of their own now its President. Out of backgrounds of great experiences may they have developed such intelligent good will toward each other and toward the whole Nation and the world that matters of great importance may be done with due dispatch. And may they be inspired by a great, universal upsurge of spiritual and political expectancy in our land.

We thank Thee that our Nation was built on the principle of no caste but character. We are grateful for the way in which this principle has worked out across two centuries to give us a true fluidity which permits true ability to be recognized, elected to places of great trust, and used for the common good.

May new harmony and a cooperative spirit in Government in all its branches, give us a new spiritual power thrust to a more stable and secure world. And may a new sense of dedication come to all our elected officials.

In the Master's name we pray. Amen.

### THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of Friday, January 20, 1961, was dispensed with.

### LEGISLATIVE PROGRAM—TRANS-ACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, yesterday I stated, for the information of the Senate, that today there would not be a morning hour until after the conclusion of the action of the Senate on the nominations pending. However, after talking with the distinguished minority leader, I wish to request that there now be the usual morning hour for the transaction of routine business, and I also ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, it is the intention to request, at the conclusion of the morning hour, a quorum call; and on the completion of that call, it is the intention to have the Senate go into executive session, to consider Cabinet nominations.

### INVESTIGATION OF CERTAIN MATTERS BY COMMITTEE ON POST OFFICE AND CIVIL SERVICE—REPORT OF A COMMITTEE

Mr. JOHNSTON, from the Committee on Post Office and Civil Service, reported an original resolution (S. Res. 61) authorizing the Committee on Post Office and Civil Service to investigate certain matters within its jurisdiction, and submitted a report (No. 6) thereon; which resolution was referred to the Committee on Rules and Administration, as follows:

*Resolved*, That the Committee on Post Office and Civil Service, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to make a complete study of any and all matters pertaining to—

(1) the postal service, particularly with respect to (a) the complete reorganization of the entire postal rate structure, (b) the establishment of better service to the public, and (c) the operation of the postal establishment with greater efficiency and economy;

(2) the operation of the Federal employees' group life insurance and health benefits programs to establish their effectiveness and determine the extent of their financial stability; and

(3) the establishment of guidelines to fix boundaries for keeping positions in the career service and for identifying those which clearly should be filled without regard to civil service procedures.

Sec. 2. For the purposes of this resolution the committee, from February 1, 1961, to January 31, 1962, inclusive, is authorized to (1) make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than \$1,400 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its findings, together with its recommendations

for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1962.

Sec. 4. Expenses of the committee, under this resolution, which shall not exceed \$75,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

### BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HOLLAND:

S. 508. A bill for the relief of John E. Beaman and Adelaide K. Beaman; and

S. 509. A bill for the relief of M. C. Pitts; to the Committee on the Judiciary.

By Mr. HOLLAND (for himself and Mr. SMATHERS):

S. 510. A bill for the relief of Jordan Tomicic (Giordano Tomicich); to the Committee on the Judiciary.

By Mr. SYMINGTON:

S. 511. A bill for the relief of Ruben N. and Dorothy A. Bergendoff; to the Committee on the Judiciary.

By Mrs. SMITH of Maine (by request):

S. 512. A bill to extend the time for completion of the free highway bridge between Lubec, Maine, and Campobello Island, New Brunswick, Canada; to the Committee on Foreign Relations.

S. 513. A bill to authorize and direct the Secretary of the Treasury to cause the vessel *Acadia* owned by Robert J. Davis of Port Clyde, Maine, to be documented as a vessel of the United States with coastwise privileges; to the Committee on Interstate and Foreign Commerce.

By Mr. KEATING:

S. 514. A bill to increase the amount of goods in transit allowed for visitors to the United States; to the Committee on Finance.

By Mr. WILEY:

S. 515. A bill for the relief of Jonas Archquette; to the Committee on the Judiciary.

By Mr. DIRKSEN:

S. 516. A bill to amend the National Cultural Center Act, as amended, to enlarge the site within which the National Cultural Center may be built; to the Committee on Public Works.

(See the remarks of Mr. DIRKSEN when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS (for himself and Mr. KEATING):

S. 517. A bill to amend the laws relating to mortgage insurance, urban renewal, State limitation, and relocation payments; to the Committee on Banking and Currency.

(See the remarks of Mr. JAVITS when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS (for himself, Mr. KEATING, Mr. KUCHEL, and Mr. ENGLE):

S. 518. A bill to amend the Housing Act of 1950 with respect to the amount of loans permitted to be made in any State; to the Committee on Banking and Currency.

(See remarks of Mr. JAVITS when he introduced the above bill, which appears under a separate heading.)

## RESOLUTIONS

## INVESTIGATION OF CERTAIN MATTERS BY COMMITTEE ON POST OFFICE AND CIVIL SERVICE

Mr. JOHNSTON, from the Committee on Post Office and Civil Service, reported an original resolution (S. Res. 61) authorizing the Committee on Post Office and Civil Service to investigate certain matters within its jurisdiction, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. JOHNSTON, which appears under a separate heading.)

## INVESTIGATION OF PROBLEMS OF AMERICAN SMALL AND INDEPENDENT BUSINESS

Mr. SPARKMAN submitted the following resolution (S. Res. 62); which was referred to the Committee on Rules and Administration:

*Resolved*, That the Select Committee on Small Business, in carrying out the duties imposed upon it by S. Res. 58, Eighty-first Congress, agreed to February 20, 1950, and S. Res. 272, Eighty-first Congress, agreed to May 26, 1950, is authorized to examine, investigate, and make a complete study of the problems of American small and independent business and to make recommendations concerning those problems to the appropriate legislative committees of the Senate.

Sec. 2. For the purposes of this resolution the committee, from February 1, 1961, to January 31, 1962, inclusive, is authorized to (1) make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1962.

Sec. 4. Expenses of the committee under this resolution, which shall not exceed \$125,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

## AUTHORIZATION FOR CERTAIN MEMBERS OF SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS TO APPEAR BEFORE DISTRICT COURT FOR SOUTHERN DISTRICT OF FLORIDA AS WITNESSES AND PRODUCE CERTAIN DOCUMENTS

Mr. McCLELLAN submitted a resolution (S. Res. 63) authorizing certain members of the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations to appear before the U.S. District Court for the Southern District of Florida as witnesses and produce certain documents; which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. McCLELLAN, which appears under a separate heading.)

## CIVIL RIGHTS—ADDITIONAL COSPONSOR OF BILLS

Mr. JAVITS. At the request of the senior Senator from Wisconsin [Mr. WILEY], I ask unanimous consent that his name may be added as a cosponsor to two bills introduced, one introduced as a civil rights package by myself and my colleague, the Senator from New York [Mr. KEATING], and a number of other Senators. They are S. 479, to establish a Commission on Equal Job Opportunity Under Government Contracts, and S. 483, to indefinitely extend the life of the Civil Rights Commission.

The VICE PRESIDENT. Without objection, the name of the Senator from Wisconsin may be added as a cosponsor.

## IMPROVEMENT OF AUTHORITY WITH RESPECT TO LOANS TO FARMERS AND RANCHERS—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of January 17, 1961, the names of Senators CARLSON, YOUNG of North Dakota, and BENNETT were added as additional cosponsors of the bill (S. 497) to simplify, consolidate, and improve the authority of the Secretary of Agriculture with respect to loans to farmers and ranchers, and for other purposes, introduced by Mr. ALLOTT on January 17, 1961.

## LEAVE OF ABSENCE

Mr. DIRKSEN. Mr. President on behalf of the Senator from Vermont [Mr. PROUTY], I ask that he be granted leave from the Senate for the next few days because of illness.

The VICE PRESIDENT. Without objection, it is so ordered.

## CONGRATULATIONS TO THE VICE PRESIDENT

Mr. MANSFIELD. Mr. President, at this time let me extend my congratulations to the Vice President, who is now presiding for the first time, and to say that I am extremely happy to see him occupying the chair; and I express the hope that in the years ahead he will have good luck and good fortune, which will be of great benefit and great value to the country as a whole.

Mr. YARBOROUGH. Mr. President, it is a great honor and privilege, as one of the representatives in this Chamber of the State of Texas, to be here on the first day when a fellow Texan is presiding as Vice President.

The State of Texas now has had the privilege of being the home of two Vice Presidents of this great Nation, the Honorable John Nance Garner, and the present occupant of the chair, the Honorable LYNDON B. JOHNSON. I feel that all the people of Texas are honored by the present distinguished occupant of the chair.

I wish to say that I made a special effort to be here at this time, to see this session of the Senate presided over for the first time by a fellow Texan who made such an outstanding record as majority leader of his party in the Senate, the only Texan ever to be the majority leader of the Senate, and the youngest majority leader in the history of the Senate. We are proud of the distinguished record the Vice President has made and is making at this time.

Mr. DIRKSEN. Mr. President, let me concur in the generous sentiments which have been expressed with respect to the distinguished occupant of the chair. Having served here in the opposite chair when our distinguished Presiding Officer conducted the affairs of this body as the majority leader, I have fond recollections of our intimate relationship; and I know that he will preside with distinction, will add prestige and honor to this body, and will acquit himself as a loyal son of the greatest unfrozen State in the Union should.

Mr. BLAKLEY. Mr. President, it is my great privilege to rise this morning to offer an expression of gratitude that some time ago, when it became my pleasure to serve for a short time in this body, it was with the distinguished occupant of the chair as the then majority leader of the Senate. At that time I expressed my gratitude for his able assistance.

It is now with somewhat the same gratitude that I am privileged again to serve in the Senate and, because of the great confidence and trust that the people of this country have put in the present occupant of the chair, to have him preside over the Senate as our great Vice President.

Mr. President, it is my hope that I may continue to have the privilege of representing our great State and may continue to have the good counsel and advice of the distinguished occupant of the chair. I wish to say in the presence of all our colleagues that we of Texas are extremely grateful for the privilege of providing our Nation with so distinguished a son.

Mr. SCHOEPEL. Mr. President, let me express my sincere congratulations to the distinguished Vice President. We look forward with a great deal of pleasure to his service in this body in his new role.

Mr. SALTONSTALL. Mr. President, I wish to join my colleagues in wishing the new Vice President, our Presiding Officer, the very best of luck. I am confident that in presiding over our proceedings he will be fair and objective in his rulings, both to the majority and the minority, when their members seek recognition.

Mr. HICKENLOOPER. Mr. President, although I must admit frankly that I was not instrumental in the election of our present Presiding Officer to his present office, I am quite sure he realizes my great admiration and affection for him personally, my congratulations to him in his new office, and my assurance to him that he may expect the same heartfelt



cooperation he has always given me in our relationships in the years past. I wish for him a very successful tour of activities, and I know that all of us join in extending him our congratulations and best wishes.

Mr. CARLSON. Mr. President, I, too, wish to join my colleagues in extending congratulations and best wishes to the Vice President. We have been closely associated in the past, because both of us come from the great Middle West. I have always enjoyed working with the Vice President, and I extend to him my congratulations and best wishes.

Mr. BUSH. Mr. President, like the Senator from Iowa [Mr. HICKENLOOPER], I am not in a position to claim any credit for the great victory of the distinguished Senator from Texas, but I join in congratulating him, and I do so heartily. I am glad we shall have in the chair a man who has demonstrated his fairness to us on the Senate floor for so long and so ably as has LYNDON JOHNSON.

I have an affiliation with Texas, as my friend the Vice President knows, because of my son, who lives there, and for that reason, and knowing the admiration the people there hold for the Vice President, I am especially happy to join in congratulating him today.

Mr. AIKEN. Mr. President, I could not let pass this outpouring of congratulations to the Vice President from this side of the aisle without participating in them. I, too, congratulate the Vice President on the position he has attained, even though it removes him as a participant in the debates which may take place in this Chamber from now on.

I intend to support the Vice President when he is right, and I know he intends to, and probably will, be right most of the time. I will say, however, that I would not take the outpouring of congratulations as being completely indicative of support from this side of the aisle for all of the planks in the Vice President's platform.

In any event, we wish him well in his new position, and I, for one, intend to cooperate with him to the best of my ability.

Mr. KEATING. Mr. President, as a very junior Member of this body, I wish to join in imparting congratulations to the new occupant of the chair. As he knows, he caused me a little discomfort in the recent unpleasantness known as the 1960 campaign in upstate New York. He well remembers the incidents which took place up there. He also knows that the junior Senator from New York has had a very strong bond of affection for the present occupant of the chair in the past, which I am sure will continue in the ensuing 4 years.

The junior Senator from New York has been the recipient of many kindnesses and fair and considerate treatment from the present occupant of the chair, for which he expresses appreciation.

I know all of us in this body are proud to see a former Member of this body in the Presiding Officer's chair, and we are proud of the fine qualities of character and leadership which have again and

again been evidenced by the present occupant of the chair.

Mr. COTTON. Mr. President, me, too. [Laughter.]

Mr. KUCHEL. Mr. President, I offer you my hearty congratulations. You, Mr. President, are a friend of every Member of the Senate. We respect you. We respect you as an American. We respect you as an able member of the Democratic Party. We respect you as a statesman, Mr. President. And the fact that on occasion we, on this side of the aisle, will disagree with your political philosophy has nothing to do with the sentiments we feel for you in our hearts; and we bid you Godspeed as you embark on this new chapter in your career.

Mr. MONRONEY. Mr. President, I would not want the opening day of the new administration to go by without expressing congratulations on behalf of the people of Oklahoma, a State that has the privilege, and sometimes the peril, of bordering on the north side of Texas. Sometimes we feel that Texans consider us citizens of outer Texas. However, I do wish to express my appreciation of the opportunity to serve with the present distinguished occupant of the chair when he was a leading Member of the House, a Senator, the Senate minority leader, the Senate majority leader, and now as the Vice President.

Although we have frequently had differences of opinion on some issues, his great sense of fairness, his great drive, and his consideration in seeing that all voices were heard and all viewpoints expressed, I think will guard for us for the next 4 years, or the next 8 years, under the guiding hand of the distinguished Vice President who now occupies the chair.

Mr. WILEY. Mr. President, yesterday, before the inauguration, I stated on the floor of the Senate:

In these closing hours of the old administration as one who senses that ahead are challenging problems which must be met head on, I say that we Americans—that is what we are first; not Democrats or Republicans—will back the new administration 100 percent in its solution of the problems that challenge our freedom and our way of life.

You, sir, are a part of the team that is to meet head on, with us, the challenges that will arise.

As I sat here this morning, it was quite a change for me to be looking up into your face, because I used to see you sitting in the chair which the distinguished Senator from Montana [Mr. MANSFIELD] now occupies, and I got more acquainted with the back of your head than with your face. [Laughter.]

However, what I wish to compliment you on is that, as the leader of the majority, you performed a fine job. When I was asked about it, I said that I had been here for 22 years, and I had never seen one who occupied the leadership on either side of the aisle who had demonstrated the efficiency and the ability to get things done that characterized you. Besides, you were always friendly through your persistency.

Now, sir, what this world needs is people who will get things done. I understand that your task is not simply that of presiding over this body of Senators;

your responsibility has been extended so that it reaches around the world, as it were, in its scope. You will have great opportunity for good—for building a better world.

I wish to join with Senators in wishing you, first, good health. I know you have the ability. I know you have the character. But you need good health. I trust, sir, that in the years which lie ahead you are going to find that what most of us have appreciated is a true joy, that of doing good and giving to the leadership of this world and of this Nation what President Kennedy mentioned yesterday.

We hope that with health will come that joy and sense of accomplishment.

Mr. WILLIAMS of Delaware. Mr. President, there are no two States in the Union which have more in common than the great States of Delaware and Texas. For nearly a century and three-quarters Delaware has been known as the next to the smallest State in the Union. Upon the admission of the State of Alaska Texas joined that distinguished role, as being the next to the largest State.

As a representative of one of those "next to" States, I extend best wishes and congratulations to the Vice President from next to the smallest State.

#### TRIBUTES TO VICE PRESIDENT NIXON

Mrs. SMITH of Maine. Mr. President, I am happy to join in the tributes to Richard M. Nixon for the dedicated service that he gave his Nation as Vice President of the United States for 8 years.

No person ever served more faithfully. No person ever served more efficiently. No person ever gave as much meaning to the position of Vice President as did Richard M. Nixon.

In his return to private life, I wish for him the success that he deserves and the success that I am confident he will attain. I am equally sure that he will return to a public role in the near future.

Mr. AIKEN. Mr. President, after 14 years of service to his country as Congressman, Senator, and Vice President, Richard Nixon is retiring to private life, at least temporarily.

His devotion to his country, and the work he has performed, have been extolled by others whose command of the English language is far better than mine.

I wish, therefore, to speak of another side of Dick Nixon's character, namely, his understanding of people.

In the midst of the problems of state, Mr. President, I have never known Dick Nixon to feel too important or to be too busy to pass the time of day with the people who work in this Capitol.

He has learned to know them as friends, to sympathize with their troubles, and to hope for their successes.

Whenever we have had visitors from home with whom we have met the Vice President in the corridors he has always been glad to meet them and to talk with them in a friendly manner and understandable language.

To paraphrase Kipling, he has demonstrated that he "can talk with crowds

and keep his virtue, or walk with kings—nor lose his common touch.”

Finally, Mr. President, Dick Nixon has been solicitous for those around him. When it became apparent that he had lost the election by a hair's breadth, one of his great concerns was for the men and women of his staff. He has done everything possible to make sure that they have not been left stranded by his temporary retirement from official life.

Richard Nixon's ability to keep the common touch, whether in the presence of royalty or in the corridors of this Capitol, marks the caliber of the man.

So, Mr. President, I join my colleagues in wishing our retiring Vice President and his gracious wife, Pat Nixon, a long life in usefulness and happiness in whatever field they may travel together.

#### COMMENTS OF MRS. DOROTHY E. ROBERTS ON INAUGURATIONS

Mrs. SMITH of Maine. Mr. President, one of Maine's foremost journalists and citizens, Mrs. Dorothy E. Roberts, publisher of the Lincoln County News, has sent me a telegram which makes a great deal of sense. I invite the very close attention and consideration of the Senate to it. It states:

DAMARISCOTTA, MAINE,  
January 20, 1961.

Senator MARGARET CHASE SMITH,  
Senate Office Building,  
Washington, D.C.:

As a voter I suggest that a bill be introduced in Congress providing for the protection of our leaders. At no time shall those involved in an inaugural be subjected—the President, Vice President, or any other officials—to the rigors of weather. There must be another way. We are after all, intelligent human beings; then protocol is necessary unless it endangers our leaders.

DOROTHY E. ROBERTS.

I am sure that those of us who attended the inaugural ceremony, whether we be of the Congress or of the press, can surely appreciate the observations Mrs. Roberts has made.

#### THE 137TH ANNIVERSARY OF THE BIRTH OF STONEWALL JACKSON—CENTENNIAL OF WAR BETWEEN THE STATES IS COMMEMORATED

Mr. RANDOLPH. Mr. President, as the Members of this body—as well as most Americans—are aware, this is the year of our commemoration of the centennial of the War Between the States. This tragic conflict, from which we still bear the scars, continues to maintain a firm hold upon the imagination and stirs strong emotions in the hearts of many.

Though there is no conflict in history which has been subjected to more historical analysis and interpretation, we still find such diversity of opinion that it can be referred to as the “needless war” and the “irrepressible conflict” by equally eminent authorities. On one point, however, there seems to be virtual unanimity of belief: This was one of the few wars in history that really settled a question. It tested the capacity of democracy to endure, and it created a true nation from the welter of conflicting political, cultural, and philosophic loyalties.

It is due, therefore, to this genuine sense of national unity that we can now set aside the former rivalries and extend tribute as a nation to the heroes of both sides. For this reason I draw the attention of my colleagues to the fact that today is the 137th anniversary of the birth of one of the men who achieved true greatness in that dreadful conflict.

Thomas Jonathan Jackson, known to his men and to posterity as Stonewall, was born on January 21, 1824, in the western region of Virginia, in what is now the city of Clarksburg, W. Va., where today lie buried in the Jackson Historical Cemetery the physical remains of his great-grandmother, his father, and a younger sister.

There was little in the early life of this obscure mathematics teacher of the Virginia Military Institute that would have forecast his rise to eminence. Yet he was not only one of the greatest of American military geniuses acknowledged as such by his contemporaries and by history. He also achieved an equal greatness in personal character.

Thus, as we enter again a moment of severe national trial, and as we commemorate later this year the battle at which Stonewall won his name, we must look beyond the cause he served to the man himself. Therein I believe we may read a lesson for all Americans who honor devotion to duty, fidelity of purpose, and unselfish dedication to the common good. For these were the ideals which found one of their purest forms of expression in the life of Stonewall Jackson.

#### “GOOD NIGHT, MR. PRESIDENT”—POEM BY MISS MATTIE RICHARDS TYLER

Mr. CARLSON. Mr. President, Miss Mattie Richards Tyler, past president of the District of Columbia Branch, League of American Pen Women, Inc., a staunch admirer of President Eisenhower throughout the years he has been in the White House, penned a poem entitled “Goodnight, Mr. President,” immediately following the President's farewell address on Tuesday night.

The poem appeared in the Washington Daily News of January 19, 1961.

I am sure countless Americans would enjoy reading it and, therefore, I ask unanimous consent that it be made a part of these remarks.

There being no objection, the poem was ordered to be printed in the RECORD, as follows:

##### GOODNIGHT, MR. PRESIDENT

Goodnight, our President! Goodnight, God-speed!

And thank you for your dedicated life,  
For always putting first our country's need,  
For leading us to victory thru strife.

We cannot gage the sacrifice you made,  
Nor even sense the burdens that you bore  
In either war or peace, as time's keen blade  
Was carving out your name forevermore.

But we can stand in grateful proud salute  
Remembering the service that you gave—  
A golden record years cannot refute.

A march of honor long beyond the grave.  
Goodnight, our President, a well-earned rest,  
To you who wore five stars upon your breast.

—Mattie R. Tyler.

#### CONTROL OF WATER RUNOFF AND PRESERVATION OF SOIL—RESOLUTIONS OF KANSAS ASSOCIATION OF SOIL CONSERVATION DISTRICTS

Mr. CARLSON. Mr. President, Kansas has an outstanding program for the control of water runoff and the preservation of our soil.

The Kansas Association of Soil Conservation Districts held its annual meeting in Topeka in November of last year and adopted resolutions urging Congress and the Kansas Legislature to take some definite action in order to speed up the work, not only in our State but in the Nation.

Kansas has 46 applications for assistance under Public Law 566, 13 applications covering well over a million acres await priority assignment.

This is some indication of the progress that is being made in our State.

As evidence of the progress that is being made in our State, I call attention to the fact that the project known as Thompsonville was the first Public Law 566 project completed in Kansas and it was the 10th in the United States.

Everyone must agree that our No. 1 problem in Kansas is to keep the water back where it falls. The future growth and development of our State will be determined largely by the amount of water we can conserve for beneficial use.

I ask unanimous consent that the resolutions adopted by the State association of soil conservation districts be made a part of these remarks.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

##### REPORT OF THE RESOLUTION COMMITTEE

*Be it resolved*, That this convention wishes to thank the Topeka Chamber of Commerce, the Shawnee County SCD board of supervisors and office personnel for their cooperation in making this convention an outstanding success. Also the ministers and speakers.

*Be it resolved*, That this convention wishes to thank Morrie A. Bolline and his soil conservation service for the fine help they have given us in the past year and offer our services if we can be of any help to them.

We also wish to thank the exhibitors for their fine contribution of exhibits to the success of the convention.

*Be it resolved*, That we wish to express to the newspapers of Kansas, the TV stations, and the radio stations, our thanks for their cooperation in spreading the news of soil and water conservation.

*Be it resolved*, That the Kansas Association of Soil Conservation Districts commend both the Soil Conservation Service and agriculture conservation program service for their continuing effort to simplify operating procedures in assisting cooperators in the installation of conservation practice.

*Be it resolved*, That the watershed program is essential to development of economic resources of our State. We, therefore, oppose new authorization for dams to be built by the Corps of Army Engineers or the Bureau of Reclamation where such authorization would imperil the opportunity to progress under Public Law 566.



*Be it resolved*, That we request the Kansas Legislature to consider amendments to the Kansas Watershed District law to:

1. Provide for the annexation of cities, by referendum to extant watershed districts.

2. Provide suitable means for the dissolution of districts.

3. In the event of Public Law 566 assistance (a) provide sufficient information, including cost estimates, in the general plan of the watershed, to enable the watershed district board of directors to formulate the financial policy to be used in the operation of the watershed, and (b) eliminate the provisions of section 24-1216 calling for publication of resolution approving each specific project, right of petition, and election.

Whereas of the 46 applications for assistance under Public Law 566, filed in Kansas, 13 applications covering well over a million acres await priority assignment (which is usually made when means of planning can be anticipated): Therefore be it

*Resolved*, That the Kansas Legislature be urged to appropriate to the State soil conservation committee a sum of \$180,000 to be used to further the completion of watershed plans, necessary to secure authorization for completing of watershed projects.

Whereas present indications are that 12 watershed work plans, involving more than 1 million acres, involving about \$20 million of Federal cost, will be seeking Federal authorization for operations in the next year. Our representatives and senators be informed of the pending needs for Kansas watersheds and urge their support for additional funds for the watershed program: Be it

*Resolved*, That Kansas Association of Soil Conservation Districts is opposed to any amendment of Public Law 566 permitting the assumption of the contracting obligation of local sponsors by an agency of the Federal Government.

KASCD favors extension of the principles embodied in the Great Plains conservation program to the watershed program.

*Be it resolved*, That the State highway department and local county engineers and commissioners cooperating with soil conservation districts be commended for their efforts in cooperating with projects that can involve both roads and soil conservation projects. We urge other counties and townships to cooperate on such projects.

*Be it resolved*, That each soil conservation district interview elected Representatives and Senators and find out how they stand on soil and water conservation. This information be sent to the president of the State association and this information put in a newsletter to the supervisors.

*Be it resolved*, That each soil conservation district board of supervisors make an effort to meet with the ministers and teachers of their district and tell the story of conservation so that they will help us reach more people in the State of Kansas and the soil conservation districts still offer scholarships to teachers.

*Be it resolved*, That this convention requests the Governor to put in his budget request for 1962, the amount of \$157,500 for the use of soil conservation districts. This amount to be divided equally among the 105 districts in Kansas.

Federal: As Congress does appropriate the funds to operate the Soil Conservation Service and as the demand for technical help to serve the soil conservation districts in Kansas is greater than can be supplied by the Soil Conservation Service, due to the limitations of the conservation operation budget.

*It is resolved*, That Congress increase the conservation operation budget to the Soil Conservation Service in order to provide the county soil conservation districts in Kansas more technical help. It is further resolved to facilitate an efficiency in the handling of SCS and ACP budgetary matters that the 5 percent ACP transfer funds be eliminated altogether and that this differential of money be made a direct transfer of Federal appropriations to the Soil Conservation Service; that a request be made to the State legislative council to make a concerted study of the problems of the business of soil conservation in Kansas, and in particular, to better help understand the problems of the county soil conservation districts, both financially and operational; to study all phases of soil treatment and make long term projections of future needs as to help solve the time lag problem of getting the job done; to study what other State governments are doing with similar problems; and to make formulative suggestions in the form of recommendations to the State soil conservation committee, to the Kansas Legislature, and to the Governor.

County: It was resolved that chapter 2, section 1907B of the 1957 supplement to the soil conservation district law, which provides for county commissioners to grant clerical assistance to supervisors in the county soil conservation districts, be amended to read that the board of county commissioners may from time to time at their discretion and upon request of the county supervisors furnish to the county district a sufficient amount of money to hire needed technical help and/or to defray the general operative expenses of the county district. That it should also provide and authorize the board of county commissioners to levy up to one-half mill of total tangible tax per annum to cover such an appropriation of money if such action is necessary. That any and all employee or employees coming under this type of county fund appropriation be responsible administratively to the county soil conservation district and/or to the county commissioners.

*Be it resolved*, That the county ASC committees process and administer the payment of cost shares for practices completed under the Great Plains conservation program contracts after certification by SCS designated technicians.

*Be it resolved*, That the Kansas Great Plains Action Committee call a meeting of all agricultural agencies from a State level and other interested groups to develop a plan of action to increase active participation at all levels of the Great Plains conservation program.

#### THE LATE DR. THOMAS A. DOOLEY

Mr. LONG of Missouri. Mr. President, the United States and mankind everywhere suffered an extreme loss on January 18 when Dr. Thomas A. Dooley, only 34 years old, died of cancer in a New York hospital. Dr. Tom Dooley, as he was known, was a famed humanitarian who set up hospitals to combat disease in the jungles of Laos.

Dr. Dooley was born in St. Louis, Mo., on January 17, 1927. He attended St. Louis University High School and after a tour in the Navy returned to St. Louis University School of Medicine where he received his doctor of medicine degree in March 1953. One year later after he had again joined the Navy, Dr. Dooley gained international fame as the only medical officer to care for some 2,000

northern Vietnamese refugees. The problem of feeding and providing sanitary facilities for such a large number are described by the doctor in his book, "Deliver Us From Evil."

That same year Dr. Dooley was transferred to the port city of Haiphong. In the 8 months that he served in that city before it fell to the Communist Viet Minh, Dr. Dooley's camps cared for more than 600,000 refugees.

In 1956 Dr. Dooley resigned from the Navy to establish a small private medical mobile unit which he took with him to Laos. This private medical unit was known as Medico and, according to Life magazine, it would never have succeeded without Dr. Dooley as "the sparkplug and chief asset."

In summing up the achievements of Dr. Tom Dooley I would like to repeat the words of my distinguished colleague, Senator MIKE MANSFIELD, when he said in part in 1956:

If the United States had abroad more ambassadors like Dr. Thomas A. Dooley, I think it not only would be better off, but would be better understood in the countries which are underdeveloped and which need understanding at this time.

#### ANNIVERSARY OF UKRAINIAN INDEPENDENCE

Mr. KEATING. Mr. President, 43 years ago tomorrow, on January 22, 1918, the Ukrainian people gained their freedom by proclaiming independence from czarist Russia and by establishing the Ukrainian Republic. The foundation of the democratic Ukrainian Republic was the culmination of a long struggle that began in the mid-17th century when the Ukrainians were first brought under the autocratic Russian regime. But the joys of freedom were short lived in the new Republic. Late in 1920 Communist forces invaded that fair land. And for the last 41 years the heel of Communist tyranny has lain heavy over the freedom-loving peoples of the Ukraine.

As one of the cosponsors of the captive nations resolution, I recognized that the Ukraine was among those captive nations enslaved by the force of Soviet arms alone against the wishes of the inhabitants of the Ukrainian nation. This resolution was a vivid reminder to the whole world of the infamy of Soviet imperialism.

But despite four decades of hardships and privations and of indescribable misery, the spirit of hope and freedom is not dead in the Ukraine. It is my fervent hope that the dreams of Ukrainians the world over can someday be realized. In memory of this anniversary of past independence and in sorrow and grief for the freedom that was only too brief, I offer this tribute to Ukrainians everywhere. On this 43d anniversary of Ukrainian Independence Day, I extend my warm and wholehearted sympathy and my very best wishes to a fine and courageous people.

Mr. MANSFIELD. Mr. President, is there further morning business?

The VICE PRESIDENT. Is there further morning business? If not, morning business is closed.

## EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate go into executive session, in order to proceed to the consideration of nominations sent to this body by the President of the United States.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

[Ex. No. 1]

Aiken	Fong	Monroney
Allott	Fulbright	Morse
Anderson	Goldwater	Morton
Bartlett	Gore	Moss
Bennett	Gruening	Mundt
Bible	Hart	Muskie
Blakley	Hayden	Neuberger
Boggs	Hickenlooper	Pastore
Bridges	Hickey	Pell
Burdick	Hill	Proxmire
Bush	Holland	Randolph
Butler	Hruska	Robertson
Byrd, Va.	Humphrey	Russell
Byrd, W. Va.	Jackson	Saltonstall
Cannon	Javits	Schoeppel
Carroll	Johnston	Scott
Case, N. J.	Jordan	Smathers
Chavez	Keating	Smith, Mass.
Church	Kefauver	Smith, Maine
Clark	Kerr	Sparkman
Cooper	Kuchel	Stennis
Cotton	Lausche	Symington
Curtis	Long, Mo.	Talmadge
Dirksen	Long, Hawaii	Thurmond
Dodd	Long, La.	Wiley
Douglas	Magnuson	Williams, N.J.
Dworshak	Mansfield	Williams, Del.
Eastland	McClellan	Yarborough
Ellender	McGee	Young, N. Dak.
Engle	McNamara	Young, Ohio
Ervin	Metcalf	
	Miller	

Mr. HUMPHREY. I announce that the Senator from Indiana [Mr. HARTKE] and the Senator from Minnesota [Mr. MCCARTHY] are absent on official business.

Mr. KUCHEL. I announce that the Senator from Maryland [Mr. BEALL] is necessarily absent.

The Senator from Indiana [Mr. CAPEHART] is absent because of illness.

The Senator from South Dakota [Mr. CASE] is absent in the State because of a death.

The Senator from Vermont [Mr. PROUTY] is absent by leave of the Senate because of illness.

## CONSIDERATION OF EXECUTIVE NOMINATIONS

The VICE PRESIDENT. A quorum is present.

The Chair lays before the Senate certain nominations received from the President of the United States and asks the clerk to read them.

The legislative clerk read as follows:

Dean Rusk, of New York, to be Secretary of State.

Douglas Dillon, of New Jersey, to be Secretary of the Treasury.

Robert S. McNamara, of Michigan, to be Secretary of Defense.

Robert F. Kennedy, of Massachusetts, to be Attorney General.

J. Edward Day, of California, to be Postmaster General.

Stewart Lee Udall, of Arizona, to be Secretary of the Interior.

Orville L. Freeman, of Minnesota, to be Secretary of Agriculture.

Luther H. Hodges, of North Carolina, to be Secretary of Commerce.

Arthur J. Goldberg, of Illinois, to be Secretary of Labor.

Abraham Ribicoff, of Connecticut, to be Secretary of Health, Education, and Welfare.

Adlai E. Stevenson, of Illinois, to be the representative of the United States of America to the United Nations with the rank and status of Ambassador Extraordinary and Plenipotentiary, and the representative of the United States of America in the Security Council of the United Nations.

JOHN F. KENNEDY.

Mr. MANSFIELD. Mr. President, it is my understanding that the Senator from Colorado [Mr. ALLOTT] has some remarks to make on certain nominations. It is my further understanding that the Senator from New Hampshire [Mr. BRIDGES] likewise has a statement to make. The distinguished minority leader has been trying to establish contact with the Senator from New Hampshire. So we express the hope that these two Senators and other Senators who wish to speak on any of these nominations will be allowed that privilege before the vote is taken.

Mr. BRIDGES. Mr. President, in considering the nominations for Cabinet posts and various subcabinet positions, several observations are in order:

First, some of the men named are outstanding.

Second, others are what might be termed "satisfactory" appointments.

But, third, there are others that leave plenty of room for doubt.

In fact, there could be, and are, deep reservations about some of them.

In one case, for example, a man who will handle a multibillion dollar budget apparently has no experience in this field.

However, the Constitution does not give the Senate the power of appointment. Our responsibility is to advise and consent. Therefore, as this principle might be understood, it is not a question of whether or not the President nominates a man whom I would nominate, or whom other Senators would nominate.

It should be noted for the record that some members of the majority party may not agree with my understanding of this principle.

For example, Senators will recall the summary rejection of Adm. Lewis L. Strauss, a man of high character and qualifications, who was nominated by the President of the United States for Secretary of the Department of Commerce.

Again for the record, it is recalled that the then junior Senator from Massachusetts, who now seeks the Senate's advice and consent on his own nominations, voted against Admiral Strauss, and against the principle I have just outlined.

But apart from constitutional law, and notwithstanding the fact that the Democratic majority turned thumbs down on Admiral Strauss on very shaky grounds, the President's choices should not be limited beyond the following bounds:

One, is the nominee a loyal American?

Two, is he a man of good character? Three, is he free from conflicts of interest?

Four, in the judgment of a Senator and based on a Senator's own conscience and individual decision, does the nominee hold views that are, or are not, compatible to the interests of this country?

Mr. President, it may be that even at this late hour many members of my party have not fully made up their minds to vote for or against some of these nominations. But if we vote to confirm some of them, or all of them, it does not mean that the party of which I am a member necessarily approves of the nominees from the standpoint of their experience, capabilities, their views, and their probable performance. It merely means that, as a matter of principle, we are upholding the theory of the advise and consent clause of the Constitution as we understand it.

Unless there is conclusive evidence to the contrary, the President, of course, should be given the benefit of any doubt.

But should his judgment later prove to be faulty, the official must, and will, be called to account.

And the President himself must bear the responsibility.

Those are some of my theories on the matter of confirmation of some of the principal posts in this Nation, and the basis of my understanding of the advise-and-consent clause.

## NOMINATION OF DEAN RUSK TO BE SECRETARY OF STATE

The VICE PRESIDENT. Is there objection to the present consideration of the nomination of Mr. Dean Rusk to be Secretary of State? The Chair hears none. The question is, Will the Senate advise and consent to this nomination?

Mr. FULBRIGHT. Mr. President, I do not wish to delay the Senate, but I wish to say one word about the nominee, since the position of Secretary of State is one of the most important positions in our Government today. The committee held a hearing on the nomination of Mr. Rusk. He was subjected to considerable questioning, and I thought he answered the questions very satisfactorily. I believe he is an eminently qualified man by education and experience. I believe the Senate and the people of this country can rest assured that the affairs of the Department over which he will preside are in competent and worthy hands, and there is no need for any worry on the part of anyone as to his nomination. I hope the Senate will confirm the nomination of Dean Rusk as Secretary of State.

Mr. AIKEN. Mr. President, I am very happy to support the nomination of Dean Rusk to be Secretary of State. I trust the nomination will be approved by the Senate without any dissenting votes.

I knew Dean Rusk when he was in the State Department a few years ago; and to the best of my knowledge he performed excellent and conscientious service at that time. I have confidence that he will continue to give equally loyal and efficient service as head of the Department in which he once worked. It gives me great pleasure to join the Senator



from Arkansas in supporting the nomination of Dean Rusk to be Secretary of State.

Mr. MORSE. Mr. President, as a member of the Foreign Relations Committee, I wish to endorse every word that the chairman of our committee, the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Vermont [Mr. AIKEN], and other members of the committee have just said about the nomination of Dean Rusk to be Secretary of State.

I believe the new President of the United States has nominated a truly great team of statesmen to represent us in our foreign policy in the trying years immediately ahead, with Dean Rusk as Secretary of State, Adlai Stevenson as head of our delegation at the United Nations, Chester Bowles as Under Secretary of State, Mr. Williams in charge of African affairs, and Mr. Harriman as Ambassador at Large, so to speak. I think we have cause for great rejoicing in respect to the great decisions our new President has made in selecting the officers who will have charge of American foreign policy. I know very well that the President of the United States had the benefit of the advice and sage counsel of the Vice President of the United States. I take this opportunity to commend both of these great leaders of our Government in these excellent nominations in respect to our foreign policy.

Mr. JAVITS. Mr. President, Dean Rusk, a New Yorker, is a friend of mine of many years' standing. I have one other bit of testimony which might interest the Senate. He has worked very closely with me and with others, especially in the private economic center with respect to the work of NATO, in which we have participated together as far as the NATO parliamentarians are concerned.

I believe he has one advantage to commend him to the country which should be noted. We all know that the foreign policy of our Nation, especially at a time of such critical danger, is heavily rooted in bipartisanship. I know of few men who are as well equipped as Dean Rusk to carry on the foreign policy in a spirit of consultation, and in a spirit of getting the best of the ideas and suggestions of all Americans, including all of us in the Congress, whatever may be our party designation.

Dean Rusk has one other gift, and I have seen him exercise it many times. He knows how to make an amalgam of ideas so it is not merely a potpourri or hash, but is a coordinated policy of drawing freely and judiciously upon the views of men of differing views. I think this is a nomination which rises far above party, as indeed it should, in respect of the office which is being discussed. It happens that I have had these personal experiences with Dean Rusk. I think he will serve our country and the free world superbly well in this critically important job. Like my distinguished colleague from Vermont [Mr. AIKEN] I hope the Senate will approve the nomination without a dissenting vote.

Mr. KEATING. Mr. President, will my colleague yield?

Mr. JAVITS. I yield.

Mr. KEATING. I, too, wish to say a word about Dean Rusk, who is a New Yorker. He is a personal friend of mine. I served with him in the Army. He performed brilliantly there. He is a man who is full of good ideas. He was a most valuable staff officer for that reason. Certainly, new and imaginative ideas are always necessary in the Department of State. I look forward to brilliant service by him in the Department of State, and commend Dean Rusk to the Senate for confirmation.

Mr. JAVITS. I thank my colleague.

Mr. SPARKMAN. Mr. President, I shall be very brief. I am delighted to see come before the Senate for confirmation the appointment of Dean Rusk to be Secretary of State. I believe that every Senator who heard Dean Rusk's statements and his answers to questions put to him by members of the Foreign Relations Committee must have been impressed with the type of performance that we expect to have while he holds the high office of Secretary of State.

I have had the privilege of knowing Dean Rusk for a good many years. In 1950 I had the privilege of serving in the United Nations. Dean Rusk, functioning in the capacity of Assistant Secretary of State at that time, was very closely connected with the United Nations work. He was one of our principal advisers.

While we were formulating the Japanese Peace Treaty and seeking its approval I had a great deal of experience with him. As every Senator knows, the consummation of that treaty was a difficult job to execute. The work was led by the late John Foster Dulles, who had been commissioned by former President Truman to formulate the Japanese Peace Treaty. Dean Rusk at that time was Assistant Secretary of State for the Far East. I was chairman of the Far Eastern Subcommittee of the Foreign Relations Committee. I had occasion to work closely with him in the formulation of the treaty, and later I worked with him in connection with the Japanese Peace Treaty Conference at San Francisco.

I became impressed with the man, with his capacity, and with his way of getting things done. I think we will have a great Secretary of State. I hope the Senate will vote to give overwhelming approval to his nomination.

The VICE PRESIDENT. The question is, Will the Senate advise and consent to the nomination of Dean Rusk to be Secretary of State? Without objection, the nomination is confirmed.

Mr. SMATHERS. Mr. President, I ask that the President be immediately notified of the confirmation of the nomination of Dean Rusk as Secretary of State.

The VICE PRESIDENT. Without objection, it is so ordered.

#### NOMINATION OF DOUGLAS DILLON TO BE SECRETARY OF THE TREASURY

The VICE PRESIDENT. The clerk will read the next nomination.

The legislative clerk read the nomination of Douglas Dillon to be Secretary of the Treasury.

The VICE PRESIDENT. The question is, Will the Senate advise and con-

sent to the nomination of Douglas Dillon to be Secretary of the Treasury?

Mr. BYRD of Virginia. Mr. President, Mr. Douglas Dillon has had long experience in many positions in Government. He has served as our Ambassador to France, as Deputy Under Secretary of State for Economic Affairs, as Under Secretary of State for Economic Affairs, and as Under Secretary of State.

Mr. Dillon was interrogated very fully by the members of the Committee on Finance. He made a very favorable impression upon the committee, and he received the unanimous vote of the committee in favor of the confirmation of his nomination. I hope the Senate will approve his nomination.

Mr. KERR. Mr. President, it was my privilege as a member of the Committee on Finance to hear the testimony Mr. Dillon gave in connection with his nomination as Secretary of the Treasury, as well as the other testimony.

I believe that Mr. Dillon's experience well qualifies him for his position, both at home and abroad, in financial circles. In my judgment he will be a great asset to our Government in the critical time in which we find ourselves with reference to international economics, and with reference to the unfavorable balance of payments in our international trade, with its resulting drain of our gold reserves. In my judgment Mr. Dillon will be an able Secretary of the Treasury for this administration in all aspects of the work of his department, especially in connection with those relating to the subjects to which I have referred.

Mr. ROBERTSON. Mr. President, I wish very briefly to say that I fully concur in the views expressed by the senior Senator from Virginia [Mr. BYRD] in stating the qualifications of Mr. Douglas Dillon as Secretary of the Treasury. It has been my privilege to know Mr. Dillon over a long period of time, commencing some years before he became connected with the Department of State. As a member of the Committee on Appropriations I have heard his testimony on a number of occasions, primarily on the mutual security program, which at one time he headed.

The new Secretary of the Treasury in the years to come will face, in my opinion, one of the most difficult tasks any Secretary of the Treasury has confronted in recent years. When I was informed that he would be appointed, I told him that he would face a difficult condition, and an almost impossible one, unless the new President would give priority to a stable dollar. Mr. Dillon told me that the new President had promised to do that.

On next Monday, or when next we meet after today, following the morning hour, when I am recognized, I shall discuss the budgetary problems which confront this Nation, especially with respect to the terrific drain upon the diminishing gold supply we are now experiencing, coupled, as it is, with the speculation that is taking place on the London Exchange in the supply of gold.

I am glad to vote for the confirmation of Mr. Dillon's nomination.

Mr. FULBRIGHT. Mr. President, as a new member of the Committee on Fi-

nance, I was pleased to vote in committee to confirm the nomination of Douglas Dillon. Of course, I had observed his work for a number of years when he was Under Secretary of State, and also when he was Ambassador to France. Mr. Dillon brings to his new position a wide and profound understanding of our international relations. One of the best aspects of his appointment is that it brings into the Treasury someone who is acutely aware of international relations, and who understands them. I think that is altogether appropriate. In the past there has been too much compartmentalization of our policy, with the Secretary of the Treasury looking only to his comparatively limited field relating to financial matters, ignoring the implications of the Department's policies in our international relations.

Therefore, the appointment of Mr. Dillon is an extremely fortunate one. By his experience and knowledge of international relations, political relations, economic relations, and financial matters, Mr. Dillon will make an excellent Secretary of the Treasury.

I hope the Senate will confirm his nomination.

Mr. MORTON. Mr. President, the country and the new administration are fortunate that Douglas Dillon has agreed to serve as Secretary of the Treasury and to accept the responsibilities and burdens that go with that high office. I know it was a difficult decision, in view of the political overtones involved.

I am glad that he has accepted. I am sure that I echo the sentiment of an overwhelming majority of the American people.

I happened to be an officer in the State Department during the time that Mr. Dillon served as Ambassador to France. Those were difficult years. In the termination of the Korean war we were daily in consultation with our allies, including France. Then came the Indochina situation in which France had the primary interest. Those were trying weeks and months, and throughout that time Douglas Dillon was of great help to President Eisenhower as our Ambassador in Paris. He was our Ambassador to France during the strenuous and trying times of the Suez crisis in 1956. Later he returned to the Department of State, and since then has rendered distinguished service there. During his duty in Paris I believe that one of the reasons he was so successful was that his charming and gracious lady, Phillis Dillon was with him. She made a place for herself in Paris and was, indeed, as effective as he in fostering the cordiality and effectiveness of relations between the United States and France.

I wish him well in his new undertaking. Again I say that we are indeed fortunate in the appointment of Douglas Dillon.

Mr. BUSH. Mr. President, I am delighted to hear the remarks of the able Senator from Kentucky, the distinguished chairman of the Republican National Committee, in speaking in favor of the approval of the appointment, and the acceptance of it by Mr. Dillon, because, as he has pointed out, this was a very difficult decision for him to make because of the politics involved.

I feel that Mr. Dillon brings to this office at a very critical time unusual personal equipment. Our problems today are worldwide problems, and Mr. Dillon brings to the Treasury a personality who knows the world and who is favorably known throughout the world.

It is no doubt for that reason that President Kennedy persuaded him to take the position of Secretary of the Treasury; offered him the position, is, perhaps, the better way to put it. I am very glad that Mr. Dillon accepted the offer. I have high hopes for his giving that office a successful administration, because he has the requisite equipment and experience, covering many years, and particularly the last 8 years, qualifying him to be a successful Secretary of the Treasury, under difficult conditions.

There has been some political criticism that Mr. Dillon should not have accepted the position because to do so would be to help to pull chestnuts out of the fire for the Democrats. My observation on that point is that the chestnuts are also ours. A great many of them are ours. If Mr. Dillon can pull them out of the fire, he will be pulling them out for everyone, not merely for the Democrats.

I believe that if Mr. Dillon becomes the successful Secretary of the Treasury which I expect him to be, he will reflect credit not only on the President who appointed him, but also on his own party, which he has served well for many years.

Mr. DIRKSEN. Mr. President, will the Senator from Connecticut yield?

Mr. BUSH. I am glad to yield to the minority leader.

Mr. DIRKSEN. I am glad the distinguished Senator from Connecticut alluded to some adverse political repercussions as a result of the appointment of and also the acceptance by Mr. Dillon.

First, I feel certain that, contrary to some of the reports which have appeared in the press, his nomination had the approval of the former President of the United States, because he cleared the proposal with President Eisenhower.

Second, there is precedent for such a nomination, because in 1940 the incumbent President, Franklin D. Roosevelt, appointed Frank Knox, of Chicago, the publisher of the Chicago Daily News, to the position of Secretary of the Navy, and Henry L. Stimson to the office of Secretary of War. So there is precedent for reaching over into the other party.

I might say that I believe this nomination is a tribute to the fact that there is some talent and some brilliance in the Republican Party. [Laughter.]

Mr. HOLLAND. Mr. President, I am not greatly concerned about any political implications that may be present in the nomination of Mr. Douglas Dillon to this highly important post in our Government at one of the most critical times in the history of our Nation.

I am impressed with his tremendous background in the field of finance. I have been most impressed by his willingness to continue to recognize our important domestic economic problems, even when he was serving as one of the top officials in the Department of State, which

too frequently takes but small note of our domestic economic situation.

In his frequent appearances before the Committee on Appropriations, I have found Mr. Dillon to be most conversant with our domestic situation financially. He has been most anxious about the preservation of our financial solvency and just as deeply concerned from that standpoint as any other public servant who has appeared before our committee.

I should like to mention two particular fields in which he has impressed me greatly along the lines I have mentioned. First, in his appearances in behalf of the Development Loan Fund, which is an important adjunct of the mutual assistance program, he has shown always an understanding that if we can lend to other nations on any kind of reasonable basis, that course is sounder from the standpoint of protecting our own economy and our own people than to grant or to give.

Second—and this point especially I should like to have appear in the Record—he has been more helpful than any other leading member of the Department of State in trying to assist the producers of perishable fruits and those who, from the perishable fruits, produce dried, canned, and concentrated fruits and juices, in the retaking or regaining of foreign markets which we had before World War II, but which we have had great difficulty in retaking since that time.

Mr. Dillon has been a most helpful member of the State Department in assisting the great fruit-producing regions of the Nation—of the west coast, of the Southeast, of Virginia, of New York, and the other areas which are such heavy producers of apples, citrus, prunes, raisins, and other fruits. He has been the most helpful member of the State Department in trying to help the United States regain its access to foreign markets which want our products, but have not been able to get them because of troubles in the very field of exchange and finance with which he will have so much to do in his new post.

I strongly approve the selection of Mr. Dillon. I hope the Senate will overwhelmingly approve his nomination.

Mr. CASE of New Jersey. Mr. President, certainly it is not strange that the senior Senator from New Jersey should rise to approve the nomination of Douglas Dillon as Secretary of the Treasury. What has been said about him is altogether true. The reason why he appeals so strongly to everyone with whom he comes in contact is due to a very simple combination which, unfortunately, is not found generally in public figures. First is his tremendously broad vision and understanding of world problems in the large. But coupled with that—and there things do not always, unfortunately, go together—is his understanding also of the facts, of the implications, of the particular moves and their relationship, not only to the world scene, but also to individuals in this country who are affected by the moves in international and national affairs.

The reason why this combination exists in Doug Dillon is, of course, his



broad experience and his wide knowledge gained in academic fields, gained in practical, private life, gained in a long period of public service, plus, most important, the fact that he works at his job and always has done so. He does not rely on generalities handed to him by someone else. He gets down to the facts of every situation and knows what he is doing.

In addition to my own personal gratification at the continued recognition of a warm personal friend, I am pledged, as a representative from the great State of New Jersey, by the recognition given to a native son. I congratulate the President of the United States in the selection of a man who, better than any others I can think of, will perform his tasks as Secretary of the Treasury in the most effective way for the United States.

Mr. COOPER. Mr. President, I do not add to what has been said by other Senators about Douglas Dillon when I speak of his exceptional background, experience, great capacity for work, and broad abilities—attributes which fit him uniquely for the office of Secretary of the Treasury.

I have known Douglas Dillon for 8 years. In addition to the attributes of which I have spoken, he has the necessary quality of a great public servant and statesman—a devotion to country which leads him to serve our country, and particularly at a time when grave problems confront the Nation.

It is a tribute to the man that when he was asked by President Kennedy to accept this nomination he knew his duty. His duty was to serve our country. He accepted the nomination, the country approves him, and he will succeed as Secretary of the Treasury for the country as he has in the other offices he has held.

Mr. MORSE. Mr. President, I am very happy to join with other Senators in their very high commendation of the nomination of Douglas Dillon to be Secretary of the Treasury.

The distinguished Senator from Iowa [Mr. HICKENLOOPER] and I had the privilege of serving as delegates to the Bogotá Conference in September under the very brilliant and able leadership of Mr. Dillon, who was then Under Secretary of State. I wish all my other colleagues in the Senate had had the opportunity to see the brilliant performance of Mr. Dillon in Bogotá, at a conference that was very critical. If so, they, too, would have shared the viewpoint that the Senator from Iowa [Mr. HICKENLOOPER] and I expressed to each other on that occasion, namely, that he made us exceedingly proud to be Americans. At the Conference there was great concern about what the outcome would be, because our relationships with Latin America had been deteriorating for so long a time. I wish to say that that Conference was probably the best one on Latin American and inter-American affairs in which we have ever engaged, and most of the credit for it goes to the then Under Secretary of State, Mr. Dillon.

When I returned from the Conference, in September, I said that in case my

party were to win the election on November 8, I hoped the new Democratic President would see to it that that brilliant Under Secretary of State would be kept in the public service.

It is true that at that time I was thinking of him in connection with foreign affairs, and it is true that my suggestion was made in regard to an appointment in the State Department. But, Mr. President, he is equally qualified to serve the new administration as Secretary of the Treasury.

I wish particularly to express the non-partisan aspect of the appointment. I have heard it said by partisans in both political parties that from a partisan standpoint the appointment is a mistake. I completely disagree with that point of view. In my judgment, when a President of the United States has the solemn responsibility of nominating those to serve in high positions in our Government, we should recognize that he has the duty to select those whom he believes are the best ones to perform that service. And if he finds, when he comes to make a selection for service in a post as critical as this one, that the man he would like to select for that service belongs to the opposition party, I believe he should appoint him, regardless of any political overtones.

I heartily approve this appointment because I know Douglas Dillon well enough, and the record will show that when he first appeared before the Foreign Relations Committee and when at that time I had an opportunity to observe his brilliant mind at work, I then made a somewhat lengthy statement, for the record, of my appreciation of the opportunity to see so brilliant a mind functioning in behalf of all the American people, regardless of political alignment. Mr. President, I feel the same way about his appointment to be Secretary of the Treasury.

I close these remarks by saying that Mr. Dillon is a living example, in my judgment, of an undeniable fact which should never be forgotten in connection with the administration of government; namely, that there is no substitute for brains in the public service.

Mr. WILLIAMS of Delaware. Mr. President, I join the distinguished chairman of our committee in endorsing the appointment of Mr. Dillon to be Secretary of the Treasury. The nomination received the unanimous approval of our committee. I believe that fact was due to the forthright answers Mr. Dillon gave to certain questions. For example, he emphasized that he believed in the complete and continued independence of the Federal Reserve System. He emphasized that under no circumstances should the executive branch or the Secretary of the Treasury try to dictate the policies of the Federal Reserve Board. That was a very important statement in the light of some earlier statements that had been made during the recent campaign. Likewise he said he believed it very important that the stability of the U.S. dollar be maintained, and as an important part of that objective he insisted that our Government continue to live within its income. I heartily endorse that state-

ment. He emphasized that it is most important to balance the budget. Mr. Dillon made it clear that, if necessary, he would ask the Congress to raise the ceiling on the interest rates on long-term Government bonds, as has been requested by the previous Secretary of the Treasury. It was a serious mistake when Congress last year rejected this proposal.

So I am very glad that Members of the Senate on both sides of the aisle now recognize, even though somewhat belatedly, the importance of that sound position; and I hope that that next request for the removal of this ceiling on interest rates will be supported by all Members of the Senate. It is most significant that the Senate is today confirming as Secretary of the Treasury a man who takes such a strong position in defending and supporting the sound monetary policies of the Eisenhower administration.

The VICE PRESIDENT. The question is, Will the Senate advise and consent to the nomination of Douglas Dillon to be Secretary of the Treasury? Without objection, the nomination is confirmed.

Mr. SMATHERS. Mr. President, I ask that the President be immediately notified of the confirmation of the nomination of Douglas Dillon as Secretary of the Treasury.

The VICE PRESIDENT. Without objection, it is so ordered.

NOMINATION OF ROBERT S. McNAMARA TO BE SECRETARY OF DEFENSE

The VICE PRESIDENT. The clerk will read the next nomination.

The legislative clerk read the nomination of Robert S. McNamara to be Secretary of Defense.

Mr. RUSSELL. Mr. President, I cannot deliver any lengthy testimonial about the characteristics of Mr. McNamara, based on personal knowledge, because I did not have the privilege of meeting him until after President Kennedy had selected him for this very important post. However, over the past several weeks I have had an opportunity to be with Mr. McNamara on a number of occasions, and I must say that I have been most favorably impressed with his ability and with his dedicated approach to the vast responsibilities that will be his as Secretary of Defense. He has an active and retentive mind and a prodigious capacity for work.

When Mr. McNamara was before the committee, I asked him how long he intended to serve in this position. I was advised that he intended to serve for as long as President Kennedy wished him to serve.

Mr. President, in view of some of the statements which heretofore have emanated from the executive branch of the Government, intended to halter the high echelons of the commissioned personnel from giving very frank and unvarnished views to the Congress on matters affecting the Defense Department, I asked Mr. McNamara whether he believed that the congressional committees and the Congress, in the discharge of their constitutional responsibilities for the national defense, should be permitted to

get the frank, unbiased, and uninfluenced views of our Chiefs of Staff and their commissioned personnel, when considering defense matters. He assured the committee that he felt the Congress should have unrestrained information from the commissioned officers in the Department. I am confident that there will be no intimidation—direct or indirect—of the Joint Chiefs of Staff, during the period in which he serves as Secretary of Defense.

Mr. President, I have very high hopes in regard to Mr. McNamara's services in the Department of Defense. Indeed, I believe, and am firmly convinced, that he will make an outstanding Secretary of Defense.

Mr. PROXMIER. Mr. President, will the Senator from Georgia yield to me?

Mr. RUSSELL. I yield.

Mr. PROXMIER. I commend the distinguished Senator from Georgia [Mr. RUSSELL] and the distinguished senior Senator from Virginia [Mr. BYRD] for their action on this nomination. I think there is a very delicate and very difficult problem when a distinguished nominee, such as Mr. McNamara, comes before a Senate committee when a conflict of interest is involved. It was particularly difficult in this case, because the nominee has made perhaps the greatest sacrifice that anyone has made in such a connection in a long time. I thought the matter was handled with great tact and good sense and complete compliance with the law, thanks to the diligence and the wisdom of these two Senators; and I wish to commend them for their attitude. This is not to say that I necessarily approve of the law as drafted. But it is now the law. Such laws can be applied and sometimes have been applied, by the Senate, at least in some respects in a discriminatory way. In this case both these Senators deserve our highest commendation.

Mr. RUSSELL. Mr. President, I thank the distinguished Senator from Wisconsin for his comment. The interpretations of the statute with respect to conflicts that have been followed by the Senate Committee on Armed Services have been quite drastic; indeed, in many cases have been quite harsh.

I do not think a different rule should be applied to one individual than is applied to another. Mr. McNamara told the committee he would do everything necessary to meet the requirements. We in the committee wrestled for some time with the matter, and we decided we could not apply one rule to a man who had come from the presidency of General Motors and another to one who had come from the presidency of Ford Motor Co., even though they might be appointed by Presidents of different parties. We felt that, whether the rule was harsh or whether it was in the public interest, exactly the same standards must apply.

I now yield to the Senator from New Mexico [Mr. CHAVEZ].

Mr. CHAVEZ. Mr. President, it is true that in passing judgment on the qualifications of a Secretary of Defense, the Armed Services Committee handles that

subject; but the money used to carry on its functions comes from money made available to him, and I happen to be Chairman of the Subcommittee on Appropriations that handles \$41 billion for defense.

I saw Mr. McNamara. I had not met him before. I have full confidence that he will do the right thing for this Nation's security with the dollars provided by the Congress of the United States. I have great confidence in him.

Mr. RUSSELL. I appreciate the statement made by the distinguished chairman of the Defense Department Subcommittee of the Committee on Appropriations.

I am glad to yield now to the Senator from Massachusetts [Mr. SALTONSTALL].

Mr. SALTONSTALL. Mr. President, I did not have the pleasure of knowing Mr. McNamara before his appointment, but I have read of his record as an individual and how he has conducted his life. I had quite a number of questions of him in my private office, and I also listened to his testimony before the committee. I am confident he will make an excellent Secretary of Defense who will take the opportunity, when it is necessary, to have a civilian lead the Department of Defense, and who will consult with the officials of the Joint Chiefs of Staff, get the best military advice, and then make his own decision as Secretary of Defense.

Mr. McNamara made a fine appearance before our committee. He also showed great self-sacrifice and a great public spirit in divesting himself of those securities which he owned which could result in a conflict in his decisions and in his responsibilities as Secretary of Defense.

I am glad to join the chairman of the committee in recommending confirmation of the nomination of Mr. McNamara as Secretary of Defense.

The VICE PRESIDENT. The question is, Will the Senate advise and consent to the confirmation of the nomination of Robert S. McNamara as Secretary of Defense?

Without objection, the nomination is confirmed.

Mr. RUSSELL. Mr. President, I ask unanimous consent that the President be immediately notified.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

#### THE NOMINATION OF ROBERT F. KENNEDY TO BE ATTORNEY GENERAL

The Chief Clerk read the nomination of Robert F. Kennedy, of Massachusetts, to be Attorney General.

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I wish to state that we held hearings on the nomination of Mr. Kennedy to be Attorney General. It was the unanimous judgment of that committee, of those members present that his nomination be confirmed.

Mr. President, Mr. Kennedy, as most Members of the Senate know, has a fine legal mind, he is sincere, his personal life is clean; and it is the judgment of the committee that he is qualified in every respect for this appointment.

Bob Kennedy is possessed of the intelligence, the educational background, and the training and experience to make a most able and capable Attorney General. For an Attorney General, legal experience acquired in Government service is of equal importance, if not more so, than that acquired by a lawyer in the private practice of law.

He has had broad and practical experience in many phases of Government service. I do not think there is any man who has ever worked as counsel for a committee of the Congress who has done a more outstanding job than Robert Kennedy. And no man has worked harder at his jobs than has Robert Kennedy. He was never given an assignment that he did not fulfill with credit above and beyond the call of duty.

Questions were asked in the hearings about a possible conflict of interest. He testified that he had divested himself of all his personal holdings of which he could divest himself. These holdings were converted into United States, State, and municipal bonds. There are three trusts, in which he has a small interest, which were set up by his father many years ago. In these trusts he cannot appoint the trustee and has no control over how the money is invested. From a financial standpoint his situation presents not even the slightest question of conflict of interest.

Mr. Kennedy is a man of unimpeachable integrity and, in my judgment, is qualified in every respect to be an outstanding Attorney General of the United States. I hope the Senate will vote to confirm his nomination.

Mr. McCLELLAN. Mr. President, I do not think any lengthy statement from me on this nomination is necessary. I do not know that I need to say anything in behalf of this nominee, because he is so well known to all of us. His record is one with which we are all familiar, and which I am sure we all approve.

But, I do wish, while his confirmation is before us, to make some brief comments for the RECORD. Mr. President, I believe I know this nominee personally as well as any one of my colleagues of the Senate, and possibly I know him much better than most Senators. I have had 7 years of the most intimate professional and official relationships with him when, while as chairman of the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations, and later as chairman of the Senate Select Committee on Improper Activities in Labor-Management Relations, he served in the most responsible position as chief counsel of these major investigating committees. Thus, during those years of intense labor and arduous duties I observed him—his vigor, his skill, and his courage—under almost every circumstance which would serve as a test of his ability and of his qualities. I can say to Senators without any reservations whatsoever that as chief counsel of those committees—particularly of the Select Committee To Investigate Improper Activities in Labor-Management Relations—he did a magnificent job of supervising and directing the staff, and performed a service which was outstanding.



Mr. President, the assignments given to the Select Committee To Investigate Improper Activities in Labor-Management Relations, its functions and its duties, were the most tedious, delicate, difficult, and possibly the most dangerous of any assignments ever committed to a committee of the Congress of the United States. It took real mettle, stamina, quality, intellect, and courage on the part of the chief counsel to meet and to discharge the important responsibilities which were incumbent upon him in that capacity.

As an organizer, coordinator, supervisor, and director, the Honorable Robert F. Kennedy demonstrated beyond question superb qualities both of administration and of executive leadership. And I may add, he demonstrated professional ability which convinced me beyond all doubt that he is capable of making a great Attorney General.

Mr. President, I know—I assert without the slightest doubt or reservation—that Robert Kennedy is possessed of unusual wisdom, judgment, and powers of discretion; and that his vigor, courage, and intellect, in my opinion, are unexcelled. He can be, and I believe he will be, a great asset to the new administration, and he can be, and he will be, a great public servant. I hope his nomination will be unanimously confirmed by this body.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. McCLELLAN. I am happy to yield.

Mr. MANSFIELD. Mr. President, I wish to join the distinguished senior Senator from Arkansas in what he has said about the Honorable Robert Kennedy, whose nomination to be Attorney General is now before the Senate for confirmation.

Robert Kennedy is a man of great integrity, of great ability, of great courage, and of great dedication. I think he has been tried in the fire and found not wanting. His record as the chief counsel of the committees enumerated by the Senator from Arkansas certainly, to us in this body, brings home the man's outstanding characteristics and his great abilities. I join with the Senator from Arkansas, who perhaps knows him more closely and better than any other Member of this body, in urging that we approve the nomination of Robert Kennedy to be Attorney General of the United States.

Mr. McCLELLAN. I thank the distinguished majority leader.

Mr. ERVIN. Mr. President, as one who served on the permanent Subcommittee on Investigations of the Committee on Government Operations and also upon the select committee which studied the labor-management field, I had the privilege of sitting beside the able and distinguished senior Senator from Arkansas [Mr. McCLELLAN] and the chief counsel of those committees, Robert F. Kennedy. As a result of my experience on those committees and my observation of the very fine and devoted work which Robert F. Kennedy did as their chief counsel, I wish to associate myself in full measure with the statements made by

the able and distinguished Senator from Arkansas, the chairman of the two committees.

Mr. ALLOTT. Mr. President, I should like to speak briefly in opposition to the confirmation of the nomination of Robert F. Kennedy to be Attorney General of the United States.

It is difficult to do this in the face of the words of such a man as the senior Senator from Arkansas [Mr. McCLELLAN] in particular and the words of the Senator from North Carolina [Mr. ERVIN], who have spoken, for whom I have a high degree of respect, not only individually but also because of their professional attainments.

However, Mr. President, I would be remiss in my obligation to my constituents and I would be remiss in my obligation to myself if I did not point out, in a few words, how I feel about this, and record my vote, whether it be the only one or not, in opposition to the appointment.

First of all, Mr. President, I agree generally with the criteria and the standards which were enunciated by the senior Senator from New Hampshire [Mr. BRIDGES] a few minutes ago. In the 6 years I have been in the Senate I have seen many of my colleagues across the aisle advise and consent to nominations by then President Eisenhower, with respect to some of which, I am sure, they were not enthused. I do not take my position on the pending nomination simply because I lack enthusiasm.

I do not do this because Robert Kennedy is an extremely young man, because I can remember, as a young lawyer, having all of these charges regarding youth thrown at me also at that time.

I do not oppose the nomination on the basis of nepotism, although I would say that nepotism is not confined solely to those who give relatives positions and thus enhance their financial position in the world. From the record this young man appears to be a man of rather considerable wealth, which is a fact of common knowledge, I believe; so that question does not arise.

So far as the question of nepotism is concerned, although this would not cause me to cast my vote against the nomination, the mere closeness of the association of the President and the Attorney General may come to vex them and perhaps to vex the country in times to come and to destroy some of the objectivity which should exist in such a situation.

I have read the transcript of the hearing very carefully. I now wish to read into the RECORD a few parts of that transcript which I think are very pertinent. The junior Senator from Illinois [Mr. DIRKSEN], our minority leader, read into the RECORD a quotation from the New York Times of December 20, which I think is the gist of this issue:

If Robert Kennedy was one of the outstanding lawyers of the country, a preeminent legal philosopher, a noted prosecutor or legal officer at Federal or State level, the situation would be different, but his experience as counsel to the McClellan committee, notably successful as he is, is surely insufficient to warrant his present appointment.

With that quotation I agree completely.

Later in the hearing the minority leader asked the nominee certain questions about his experience, and after eliciting the information that he did his undergraduate work at Harvard, he also elicited the information that he graduated from the Virginia School of Law in 1951, that he had had service in the U.S. Navy, and that he was for a short time correspondent for the Boston Post. The Senator from Illinois then said:

Senator DIRKSEN. You then took the bar examination and passed the bar of the State of Massachusetts, and unless there was some hiatus there, you then came back to Washington and for a period of 7 months you were in the Criminal Division of the Department of Justice?

Mr. KENNEDY. I traveled around the world with President Kennedy at that time, 1951, and then I came to work in the Department of Justice, I believe, in September of 1951.

I left in May of 1952, I believe, around then.

Senator DIRKSEN. So, roughly, you did have about 7 months of service?

Mr. KENNEDY. Yes.

Senator DIRKSEN. Let me ask this question:

After you were admitted to the bar, did you ever open a law office or did you ever associate yourself with any law firm?

Mr. KENNEDY. I have always been interested in working for the Government. I have always been interested in the Government, and after I graduated from law school, after I took this trip, I went to work for the Government immediately.

I have worked for the Government ever since.

Senator DIRKSEN. And then a corollary question:

Did you ever actively practice law in any State court of record?

Mr. KENNEDY. I did not.

Senator DIRKSEN. Did you ever practice law in any Federal court?

Mr. KENNEDY. No.

I handled some cases before grand juries for the Department of Justice, Senator.

Those cases were referred to in a later statement of the nominee as certain cases before the grand jury in the city of New York, I believe.

He later enumerated his experiences in the various committees of the Senate and the House, and then said:

I then participated in a—I wrote a book on the work of that committee and then I participated in a political campaign, and now I am here.

Later in the hearing the Senator from Illinois [Mr. DIRKSEN] brought up, I think very properly, the question as to whether or not the main emphasis in the selection of Attorney General would be upon the legal ability or upon the administrative ability of the nominee. The Senator from Illinois said:

There is this historical point, however, that I did want to make because it has received so much emphasis in the letters and in the telegrams that have come from the country, and for that reason I thought it ought to be clarified as a part of the record.

Preceding that statement he had said:

Now, there are other questions, of course, on law enforcement, advising the President, any conflict of interest that might intervene with respect to the enforcement of the Antitrust Acts.

As we read the transcript of the hearing we find what constitutes preparation for this particular position. The Senator from North Carolina [Mr. ERVIN], who spoke a few moments ago, stated among other things on page 10 of the hearings, referring to the preceding Attorney General—

Then he practiced law in the District of Columbia for 2 years, which would make a total in the practice of law of about 8 years, which is quite a limited period of time.

With this statement I will wholeheartedly agree. The Senator from North Carolina said further:

I can't imagine a man becoming a legal authority in 8 years of law practice.

With this statement I wholeheartedly agree.

Numerous other statements were made during the hearing which indicate that this young man—capable, ambitious, driving as he may be—has not had sufficient background in the practice of law overall to qualify him for this position.

For example, the junior Senator from New York [Mr. KEATING] was questioning him about some of the trusts in which he was involved, with which, I must say, I find no criticism. These trusts were created many years ago. Mr. Robert Kennedy has no control over them, according to the record. He receives the income from them, and that is all.

Apparently when the committee hearings started, at least, he did not even know what the corpus in the trusts was, so one could hardly point the finger of suspicion at him on that account. He apparently was withholding himself from them, and that attitude is fine. But he was asked by the junior Senator from New York [Mr. KEATING] as follows:

Senator KEATING. So that of the assets in them, all of you have an equitable interest?

Mr. KENNEDY. That is correct.

Senator KEATING. And an undivided equitable interest?

Mr. KENNEDY. I do not know quite how it is split. I know it is broken down between all of us.

That statement indicates that the nominee himself was not even aware of the nature of an undivided interest—a subject which I believe almost every student of a law school learns shortly after he gets into law school.

I refer now to page 29 of the hearings, at which point the Senator from Nebraska [Mr. HRUSKA] was questioning the witness. He asked him these questions:

Senator HRUSKA. But just to confirm what experience you have had, I would like to ask you this:

You were first in the Department of Justice and you were there assigned to the Internal Security Division. Was that your first assignment?

Mr. KENNEDY. That was when I first joined the Department of Justice, Senator.

Senator HRUSKA. And how long did you serve in that section?

Mr. KENNEDY. I think probably 2 or 3 months.

Senator HRUSKA. And it was then that you went over into the Criminal Division?

Mr. KENNEDY. I went to the Criminal Division in this special unit that was set up at that time.

Senator HRUSKA. Well, now, bearing in mind that in your position as Attorney General, it will be necessary for you to pronounce judgment upon litigation in its various stages all the way from authorizing the institution of a lawsuit to its settlement, or to its appeal, I should like to ask you now:

Have you ever tried a case, a jury case, or an equity, before a judge?

Mr. KENNEDY. I have not.

Senator HRUSKA. Have you ever chosen a jury or written a trial brief or prepared a set of instructions for a trial in court?

Mr. KENNEDY. I have not. I think I made that clear, Senator.

Mr. President, so that no one will think that I am taking advantage of the situation in respect of the nominee, I state that he goes into a considerable statement of his experience, and I ask unanimous consent that the first part of page 30 of the hearings down to where Senator HRUSKA resumes may be made a part of my remarks at this point in the RECORD.

There being no objection, the excerpt from the hearings was ordered to be printed in the RECORD, as follows:

Mr. KENNEDY. I have not. I think I made that clear, Senator.

I decided at quite a young age that I would dedicate or work for the Government, and I think I have made that quite clear.

I have been working for the Government. In my estimation I think that I have had invaluable experience.

The connections that I have had with various members of the committee, the direct relationship I had with the Department of Justice for a long period of time when I was counsel of that committee, with the Federal Bureau of Investigation, the Bureau of Prisons of which you are particularly interested, all of these matters, with Mr. Bennett, with Mr. Hoover, with Mr. Anslinger, I have had a great deal of experience in that field.

There is other experience that I have not had.

There is no question about that, and part of it you are developing, but, remember, Oliver Wendell Holmes said after he had been on the Court for a number of years, looked back and examined his cases, he said he was shocked at the fact that he had had so little experience in the broad purview of the law.

So I do not think, no matter what you do, to practice law all your life, that you are going to have experience in all phases of the law and in all phases of experience.

I would not have been given up 1 year of experience that I have had over the period since I graduated from law school, I would not give up 1 year to have sacrificed that experience for experience in practicing law in Boston or wherever it might be.

I think that I have gained invaluable experience, Senator.

I am young and I can't make up for the fact that I have only had 10 years out from school. But I think that what I have done or what experience I have had in those 10 years will be of tremendous help and make a tremendous difference in this new position that I am—

Mr. ALLOTT. Then the Senator from Nebraska stated in conclusion:

So I just wanted to reiterate, and you have emphasized for me, in fact, the idea that you have not only done any of those things in civil practice, but you have, as I understand it, never negotiated a settlement, for example, of a litigated civil case for damages or the breach of a contract or tort case.

Mr. KENNEDY. I doubt if I am going to be doing that as Attorney General.

Senator HRUSKA. I think you will, sir. I think you will. The law requires that the Attorney General pass upon any of the litigated cases wherein the Government is receiving or can receive, as a result of that case, more than \$100,000, or if it is paying out more than \$50,000, the law requires that the Attorney General make that decision. So you will be passing, and that is one of the reasons for my asking this question.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. ALLOTT. I would prefer to finish my statement, if the Senator does not mind.

Mr. EASTLAND. I have just one question to ask.

The VICE PRESIDENT. Does the Senator yield?

Mr. ALLOTT. I yield for a question.

Mr. EASTLAND. The Senator is quoting Senator DIRKSEN and Senator HRUSKA. Would it also be correct to say that they voted to confirm the nomination?

Mr. ALLOTT. That is correct.

Mr. EASTLAND. Why does not the Senator put all the hearings in the RECORD, instead of a piece here, a line there, or a sentence here, to be absolutely fair?

Mr. ALLOTT. I will answer the Senator's question. The record is wide open to the Senator, and he knows that. If he wishes to do so, he can put the whole hearing testimony in the RECORD, and I will not object. However I will—

Mr. EASTLAND. Mr. President, I ask unanimous consent that the entire hearings be placed in the RECORD at this point.

Mr. ALLOTT. I have the floor.

The VICE PRESIDENT. Does the Senator refuse to yield?

Mr. ALLOTT. I refuse to yield for that purpose. I will answer questions.

The VICE PRESIDENT. The Senator may proceed.

Mr. ALLOTT. As I have said, it is not my intention to conceal the record in any sense in connection with the nomination. I certainly will not object to anyone inserting in the RECORD any portion of the hearings that he may wish to insert. I went outside of my own case and inserted, a moment ago, that part of the justification which Mr. Kennedy felt he had to have in order to bolster his own case.

I shall be very brief, Mr. President. Why do I feel this way? There is an old saying that the law is a jealous mistress. She is. I do not believe that anyone can qualify himself as a lawyer by being counsel for a committee in the Federal Government, unless it is one of those very peculiar situations, of which I have never heard, which would broaden and enhance that man's experience far beyond the counselship for any committee that I have ever known would do.

I believe that the private practice of law causes a respect for the law, a deep and abiding respect, when a man has to study it, when he has to advise his clients, when he has to stand upon the results of his own advice, and when his own future success or failure depends upon that advice and his own abilities and skills at the law.



When there are thousands of lawyers who, upon the record, are far, far more experienced than the nominee—and I do not confine these remarks to Republicans or Democrats—and if anyone reads those records, they will agree with me—I cannot in conscience vote to sustain the nomination. If he had any of the background which a lawyer thinks of in terms of having the qualifications of a lawyer, or if he had ever commenced a lawsuit, for example, it would be a different situation. I believe the only reference that he made in the testimony to that kind of situation is an experience before the grand jury in New York, which is nothing but a very limited segment of the practice of law.

For that reason—and I have tried to make my remarks on a dignified basis, upon the basis that I do not believe he is as qualified as many thousands of other lawyers in the country today to hold the position—I must cast my vote against him. I shall not ask for a yeand-nay vote, but I will ask for a division, in order to have a record of at least myself and others, if there are any, who may join me in this, to show who wishes to support me and who does not.

Mr. DIRKSEN and Mr. CHAVEZ addressed the Chair.

The VICE PRESIDENT. Does the Senator yield?

Mr. ALLOTT. I do not yield at this time. In conclusion I should like to say that I wholeheartedly support the position that the President has the right to name his Cabinet. In this case I believe he has not chosen by a full degree a man who is qualified in the law, and I must therefore vote against the confirmation of the nomination.

Mr. DIRKSEN. Mr. President, it was 171 years ago last September that President George Washington nominated Edmund Randolph, of Virginia, to be the first Attorney General of the United States. When he did so he picked one of the great lawyers of the colonial period.

It occurred to me that the first President set a precedent in selecting a great lawyer for the job as the General Counsel of the Government of the United States. That precedent has been consistently followed from that day on.

One need but look at the list of Attorneys General to note the outstanding people who have served in that capacity.

Under Andrew Jackson there was Roger B. Taney, who from the High Bench made history in this country, and also when he served as Attorney General.

William N. Evarts, who served under Andrew Johnson.

Judson Harmon, who served under Grover Cleveland.

Philander C. Knox, who served under William McKinley.

George W. Wickersham, who served under William Howard Taft.

James Clark McReynolds, who served under Woodrow Wilson, and who later went to the High Court.

Thomas Watt Gregory, who served under Woodrow Wilson.

Harlan F. Stone, who went to the High Court.

John G. Sargent. Robert H. Jackson. Tom C. Clark. There are others.

I have avoided Republican names deliberately, as a matter of fact, only to show that no matter what party was in power, always the emphasis was upon scholarly attainment and philosophical outlook and the legal competence of the man who became the Attorney General of the United States.

I trust I am not a slave to tradition, but I know it is written in the Book: "Remove not the ancient landmarks which our fathers have set."

I like to confirm that I believe that that is valid, and that is the reason for the examination that I conducted of the nominee in the hearing of the Judiciary Committee.

Notwithstanding that, Mr. President, I voted for him in the Committee on the Judiciary, and I propose to vote for him today—and for a reason. However, I simply spell out this theme because I felt that the Attorney General ought to be a legal scholar. I felt he ought to have some competence. He must advise the President not only on domestic problems, but on international problems, as well. There are specific duties, under the law, which he must perform in giving advice; and I should assume that they require that kind of competence which comes from practice over the years.

I am a lawyer. I am a member of the Illinois bar. I am a member of the District of Columbia bar. I am a member of the American Bar Association. However, I never fancied myself as a great lawyer—and I do not say that with my tongue in my cheek, either, as a matter of fact. But I think I know a great lawyer when I see one. So I disclaim that I am a great lawyer.

Nevertheless, I made this point for a reason in the committee, and I re-emphasize it here today. If it is the desire of the Senate and the desire of the President to have as Attorney General one who is an administrator—an effective administrator—rather than an outstanding and seasoned lawyer, then let us make up our minds both at the executive and the legislative levels, because that marks a departure from tradition, and we shall have to contend with that problem in the future.

I have no objection, if that is the way it is to be; but I know that people throughout the country have been a little upset about it, as I can testify from some of the letters I have received. I believe this nomination has evoked more interest, more mail, more telegrams, more telephone calls, more comments, and more columns than any other of the nominations which are before the Senate. I shall read just two paragraphs from a letter I received from Texas. I prefer to select one from Texas rather than from my own State because I am sure that to choose one from Illinois might indicate some bias. I shall not say from whom the letter came. It was addressed to me on the 18th of January and reads as follows:

I am violently opposed to the confirmation of Robert F. Kennedy as Attorney General and trust you will do all in your power to prevent this. At least, make a strong speech putting us on record as opposing his confirmation.

All the information you need is in David Lawrence's column published January 13, entitled "Advise and Consent. Senate Will Debate Bobby"; plus the editorial by Raymond Moley in the January 23 issue of *Newsweek* magazine.

There have been many letters like that, and there have been telegrams which have roundly scolded me, as a member of the minority, for failure to make an impressive case in the Committee on the Judiciary. I did not believe a case could be made on the ground of relationship or nepotism. I think it only takes on that aspect if someone is appointed who cannot render adequate, effective public service for which he gets money from the Federal Treasury. I do not believe that situation applies here. There is no question about the integrity of Robert Kennedy. There is no question about his aggressiveness and his administrative talent, as the distinguished senior Senator from Arkansas [Mr. McCLELLAN] has so well said.

So I put it entirely on the ground of competency and experience.

Senators may wonder why I voted to approve the confirmation of the nomination of Mr. Kennedy and why I propose to vote for him again. I will tell them why. I think I had better read my reason because it is contained in a telegram addressed to the chairman of the Committee on the Judiciary, which, singularly enough, somehow was lost in the shuffle, because I have not seen or heard it paraphrased or reproduced in its entirety in the press, or on the radio or television. But I read it, and here it is:

NEW YORK, N.Y., January 12, 1961.

HON. JAMES O. EASTLAND,  
Chairman, Committee on the Judiciary,  
U.S. Senate, Washington, D.C.:

I believe that Robert F. Kennedy is determined to do a fine job as Attorney General and that he should be confirmed. From published reports he has administrative ability and has rendered fine public service. Appointments in the Department already announced indicate that he plans to have a strong team working with him. Any problems which could possibly arise out of family relationship can be avoided or overcome by intelligence and singleminded devotion to the public interest. His decision to continue the present cooperative arrangement with the American Bar Association under which the Attorney General refers to its Federal judiciary committee for investigation and report on qualifications, the names of those under consideration for appointment as Federal judges indicates his responsible attitude toward a most important part of the duties of the office. This cooperation has been of value to the President, the Attorney General, and the Senate Judiciary Committee and has served and will serve the public interest in a notable way.

Who signed that telegram? It was signed by Whitney North Seymour, president of the American Bar Association. The American Bar Association has a membership of 95,000 lawyers, and among them are the outstanding lawyers in the country. It operates, of course, through committees which function in the Nation's Capital.

I am a member of the American Bar Association and a Member of the U.S. Senate. I have a constitutional duty here, but I am not insensible of the judgment that was rendered by the American

Bar Association in this case. However, I reemphasize what I sought to make manifest to the committee; namely, that on his own candid admission in the committee the nominee has never tried a case in any court, at any level.

If there is to be that departure, and we shall have to think of the Attorney General as an administrative officer rather than as a great lawyer, and that in that capacity he can engage the services of all the great lawyers in the country, I have no obstacle to intrude. I simply say that it will be a departure from the tradition that was set when George Washington, the first President, sent to the Senate the name of one of the great lawyers of the Colonies, Edmund Randolph, of Virginia.

I am getting a little too old to throw overboard completely what the ancient sages wrote on the sacred parchments when they said:

Remove not the ancient landmarks, which our fathers have set.

I propose to vote to confirm the nomination.

Mr. CHAVEZ. Mr. President, reference has been made to departures from tradition. There have been departures before. It was said that there could not be such an event, but we saw an instance of it yesterday, when we witnessed an inauguration that was a departure from all the traditions about which the distinguished Senator from Illinois has spoken.

One could go to any corporation in the country, especially among those which were aligned with the last administration, and find thousands of lawyers who never saw a courtroom. There is no "departure" about this young man.

I joined the bar association in 1920, late in life, because I could not arrange to go to law school until I was employed by the Senate. As far back as 1928, I was a delegate to the American Bar Association in Memphis, Tenn. I know about the bar association. I agree completely with the Senator from Colorado [Mr. ALLOTT] and the Senator from Illinois [Mr. DIRKSEN] that there should be a lawyer at the head of the Department of Justice. But I know that not all the lawyers go to the courtroom. Some simply give advice—and sometimes, consent. That is, sometimes, all they do. What is the matter with young Kennedy?

He was well trained. I am happy that he studied at Harvard, and I am even happier that he studied at the University of Virginia. He will provide a fine administration, in keeping with those of the illustrious persons mentioned by the Senator from Illinois.

I know of one the Senator from Illinois did not mention; I refer to the Attorney General during the Harding administration. I do not know why his name was not mentioned; evidently he is not regarded as sufficiently illustrious.

Mr. President, I am happy that the President of the United States has a brother who was sufficiently qualified to serve with the McClellan committee and who was able to devote to that service his time, his efforts, and his knowledge of the law. A greater knowledge of law is needed there than in many other places.

I am sure that when history comes to be recorded, this nominee will be listed as one of the illustrious group referred to by our good friend, the Senator from Illinois.

So, Mr. President, I shall vote in favor of confirmation of the nomination of Robert Kennedy.

Mr. SALTONSTALL. Mr. President, Robert F. Kennedy is a citizen of Massachusetts and a voter in Massachusetts. He and his family are much respected there. He is a man of integrity and intellect, and he has great administrative ability. I believe he will make a good Attorney General, even though he has not had much experience in the practice of law. I hope his nomination will be confirmed.

Mr. MILLER. Mr. President, for the reasons stated by the distinguished minority leader, I do not plan to oppose confirmation of this nomination.

However, for the record, I believe it fair to point out that among all these nominations, this is the only one on which I have received a substantial amount of adverse correspondence.

Mr. HRUSKA. Mr. President, as a member of the Judiciary Committee, I voted to report favorably the nomination of Robert Kennedy for the Cabinet position of Attorney General. In this Chamber, I propose to vote for confirmation of the nomination.

It is true that by tradition we have come to look upon this office as one to be filled by men learned in the law and experienced and seasoned in all aspects of that profession. We have come to look upon this position as one to be occupied by scholars of great eminence in the law, and usually preeminent. This is being changed now, because the nominee does not possess such qualifications; that is plain from the record. That record was not made by me or by any other Member of this body; it was made by the nominee himself. Not only has he represented only the Government, during whatever career he has had, but he has represented the Government in a very limited capacity and in a very narrow jurisdiction. That limited capacity consists of 7 months of service with the Department of Justice. Two or three of these months were spent in the section of internal security; and the remainder was spent with the Criminal Division, where his assignment had to do, for the most part, with the presentation to the grand jury in the city of New York, of two or three cases of tax evasion. Aside from that, his service has been limited to membership on the staff of one or another of the congressional committees.

I may say that his experience in the Department of Justice and his experience on the staffs of various congressional committees has been limited to the role of an investigator and prosecutor—no less and no more. That describes his total experience.

The reasons for placing in the Office of Attorney General a man with that type of experience challenges the imagination, as all of us know, because the greatest part of the activities of the Department of Justice is to be found in areas other than that of purely criminal

law, let alone purely investigative or prosecuting duties, as such.

However, it has been truly testified by Members of this body that this nominee has had a great deal of experience as an administrator. He is a good organizer. He has worked with a great deal of zest and has shown a great deal of courage in the performance of the duties he has assumed.

It has been said here that we are not given the duty of appointment; we have only the duty of advising and consenting. If it is the desire of the President of the United States to appoint, for assistance to himself, an Attorney General who is a good administrator, rather than a scholar learned in the law, that is a decision for the President to make; and it is for him to bear that responsibility.

I may say there is no constitutional requirement or statutory requirement that the Attorney General be a lawyer, at all. He need not be a member of the bar. However, it is true that his assistants must be. The statute specifies that they must be "learned in the law"; and if, in the judgment of the Senate, they are not considered to be learned in the law, that would be a good ground for refusing to confirm their appointment. But that is not true in the case of the Attorney General.

I recall that about a year and one-half ago there was considerable debate in regard to the question of confirmation of the nomination of another Cabinet appointment, and we considered the matter from the historical point of view. We found that, historically, there were only two or three, or perhaps four, grounds on which the Senate would be justified in refusing to confirm. One was if it were found that, in the judgment of the Senate, the nominee was not of good character, loyalty, and patriotism. Another would be if the Senate found he was without competence. Another would be if the Senate were to find that by reason of his assumption of the duties of that office, there would arise a conflict of interest which would be too great to be overcome. But in such cases the Senate has no other power, and should not attempt to exercise any other power. That point was argued thoroughly during the debate here, and I was one of the Members who expounded that reasoning. I fully believe that if that rule is followed in the case of one nomination, then both consistency and wisdom require that the same rule be applied by us in the course of our consideration of other nominations.

I have full sympathy with the line of reasoning followed by the senior Senator from Colorado [Mr. ALLOTT]; but I firmly believe that if we refuse to confirm the nomination of Robert Kennedy to be Attorney General, we shall be exceeding the jurisdiction and the power this body has—namely, the power to advise and consent. Our power is confined to a certain area, and we should not attempt to exceed it. If we attempt to go beyond that, we venture into the realm which encompasses the duties and the responsibilities of the one who has the power of appointment.



So, Mr. President, notwithstanding the correspondence I have received, it is my intention to vote in favor of confirmation of the nomination of Robert Kennedy to be Attorney General.

Mr. JAVITS. Mr. President, will the Senator from Nebraska yield?

Mr. HRUSKA. I am glad to yield.

Mr. JAVITS. Mr. President, I had not intended to address myself to this matter. But the Senator's specification of the considerations which should move the Senate when it acts on this appointment requires me to make an observation at this time, if the Senator from Nebraska will be so kind as to permit me to do so.

Mr. HRUSKA. Certainly.

Mr. JAVITS. I, too, have received considerable correspondence in regard to this matter. Let me say that I have had a little specialized experience on the particular point made by many of those who have written to me; I refer to the fact that the President of the United States and the nominee to be Attorney General are brothers.

For 27 years, from 1927 to 1954 I practiced law with my brother, himself a distinguished lawyer, author, and civic leader in a very honorable way, in New York; and I am very proud of that. We are only two brothers and have always been very close. In that way I learned a lesson which I think should be expressed publicly, because it may be useful to Bob Kennedy, the nominee to be Attorney General. I should like to state that I, too, will vote today in favor of confirmation of his nomination. I believe this is desirable, in view of the President's responsibilities and his choice of the way in which he will exercise them.

I have found that the greatest safeguards that can exist in this relationship, which is both personal and professional—and let me say here that my correspondence has shown disquiet—and there is no use in attempting to fool ourselves on this point—over the proposal to vest in this nominee the enormous responsibilities which arise from the fact that both the executive power of the President and the right to seek indictments of the Attorney General will be lodged in one family—are the canons of ethics of our legal profession. These are very explicit. They are very complete. They have been tried for decades through experience. If one will practice as a lawyer or serve with his brother and obey the canons of ethics, with the discretion which is vested in his own conscience to the courts and to the people—and I am confident Bob Kennedy proposes to do just this—then I am confident that the country will be fully safeguarded and it will bring great honor to our new Attorney General.

Let me make one further observation, and I know this from my own experience. There is something admirable and wonderful about the fact that two brothers can vest such confidence in each other. There is something great about it, and it is something which all mankind loves. Bob Kennedy will be the Attorney General, and when a question presents itself, it can be safeguarded by a strict adherence to the canons of ethics. I shall vote for him, and I make

this expression from my own personal experience, because I want very much for Bob Kennedy to succeed. It is in the interest of the country that he do so, and we all feel very deeply about it. I feel that he has every chance to do so, and I base my statement on my own experience of over a quarter of a century.

I thank the Senator for yielding.

Mr. KEATING. Mr. President, it was my privilege as a member of the Senate Committee on the Judiciary to participate in the hearings on the nomination of Robert F. Kennedy. After the hearings, I joined with all of my other Republican and Democratic colleagues on the committee in voting to recommend his confirmation.

This certainly does not mean that I expect to find myself in agreement with all of the Attorney General-designate's policies or other future activities. It does not mean that I regard the selection of Robert F. Kennedy as the best selection that could have been made for this post. These are not the standards by which a responsible Senator can pass upon a nomination by the President. In my opinion, unless there is some overriding reason relating to the character, or competence, or convictions of the President's nominee, the President should be permitted the widest discretion in the selection of the members of his official Cabinet.

Robert F. Kennedy answered the questions put to him by the members of the committee in a candid, forthright, and informed manner. He received the highest tribute from a member of the committee with whom he had worked intimately for several years of his career. It is apparent that although he is young, he has exercised considerable responsibility as a Government lawyer, both in the legislative and executive branches of the Government. I understand the reservations of those who regard the private practice of law as part of the important training of a mature lawyer. But certainly we should not raise this preference, or any other similar single factor, to a level of decisive significance. We have had Attorneys General who did not have any previous Government experience, which in my mind is perhaps as significant as an Attorney General who has not had any private practice experience. A wise man draws on all his experience, and it is apparent that Robert F. Kennedy has learned well from whatever he has done. It is apparent, also, that he is a very intelligent and very dedicated individual.

As to character, Mr. President, I can speak from personnel knowledge since I have known the Attorney-General-designate for years. I have known his fine family. He is a man of outstanding integrity. He is a deeply religious young man whom all of us would respect as a friend or a coworker in the Government service. The nominee is young and he is the brother of the President, and naturally, this has raised questions in the mind of many persons as to his suitability for this important post. Indeed, I have no doubt that these factors will place an added burden on the Attorney-General-designate to perform his duties

in an exemplary way. He will be functioning under the watchful and somewhat suspicious eye of many observers, and because of the questions which have been raised concerning him, he will have to do better than any other person would in order to satisfy his critics. He will have to avoid any display of partisanship and both he and the President will have to avoid any suggestion of favoritism. The Attorney-General-designate assured the Committee on the Judiciary that he would not engage in partisan politics, and of course this is a pledge which I fully expect him to live up to and which is vital to the proper performance of his duties.

Mr. President, only the future will tell whether Robert F. Kennedy fully measures up to the requirements of the post of Attorney General. In my judgment, he will do so. I have studied his nomination with the greatest care and I know of no reason which justifies any attempt to veto the President's choice of Robert F. Kennedy to serve as a member of his official Cabinet, or, as is sometimes said, his official family. Mr. President, I shall vote for the confirmation of the nominee.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. KEATING. I yield.

Mr. CHAVEZ. Is it not wonderful, in this day and age, that the President can have this kind of brother? I think we should all envy anyone who can have a brother of the character and competence such as the President has.

Mr. KEATING. I thank my colleague for his comments.

Mr. DIRKSEN. Mr. President, the distinguished Senator from Indiana [Mr. CAPEHART] is unavoidably detained. He is at the Naval Hospital at Bethesda. The distinguished Senator from Maryland [Mr. BEALL] is also unavoidably absent.

They want the RECORD to show that if they were present they would support all the Cabinet appointments and also the appointments to ambassadorships.

I ask unanimous consent that the RECORD so show.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. SCOTT. Mr. President, as I have said before, it is fully within the power of the Attorney-General-designate to dispel by his own conduct of the office of Department of Justice any reservations which may have been here expressed or heretofore expressed concerning him.

I view the power to advise and consent as governed by certain tests which have been discussed by other Senators. I believe it is the right and the responsibility of the President of the United States to have serving him in the Cabinet those upon whom he imposes full trust and confidence.

I think it most important in our system of checks and balances that a very clear line be drawn between the executive and the judicial departments, and this is of course demonstrated by the care and consideration which is given to the appointment of Federal judges and Federal district attorneys, so that they may be selected upon considerations

of competence and character and so that the administration of the Department of Justice shall be conducted conscientiously as an arm of the executive department and in no way designed to confuse the functions of the judiciary with those of the executive.

Upon these considerations and upon my firm belief that a President is entitled to choose his own administrators, is entitled to present and to develop his program, and is entitled to all the cooperation which the Members of this body can give to him, I expect to vote in favor of the confirmation of the nomination of Mr. Robert Kennedy to be Attorney General.

**The VICE PRESIDENT.** The question is, Will the Senate advise and consent to the nomination of Mr. Robert F. Kennedy to be Attorney General?

(On a division, the nomination was confirmed.)

**Mr. SMATHERS.** Mr. President, I ask that the President be immediately notified of the confirmation of the nomination of Robert F. Kennedy as Attorney General of the United States.

**The VICE PRESIDENT.** Is there objection? The Chair hears none, and it is so ordered.

#### NOMINATION OF J. EDWARD DAY TO BE POSTMASTER GENERAL

The clerk will state the next nomination.

The legislative clerk read the nomination of J. Edward Day, of California, to be Postmaster General.

**Mr. JOHNSTON.** Mr. President, I report to the Senate that this nomination was considered by the Committee on Post Office and Civil Service. We listened to Mr. Day, and all the members of the committee who were present asked various and sundry questions. Then the committee voted unanimously to favorably recommend the confirmation of his nomination to the Senate.

Mr. President, in addition, those members of the committee who were not present supplied proxies, so that three members of the committee who were absent voted in favor of the confirmation of the nomination.

At this time I ask unanimous consent to have printed in the RECORD an excerpt from the hearings before the committee, which are very brief. I think that would complete the record. It is only 6 pages.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

#### STATEMENT OF J. EDWARD DAY, POSTMASTER- GENERAL-DESIGNATE

**Mr. DAY.** Thank you, Senator JOHNSTON. I can assure you that I approach this responsibility with a tremendous amount of enthusiasm, with a tremendous knowledge of the size and challenge that is involved.

I have had the good fortune to have considerable experience with very large operations. The company in which I have been a senior officer for 8 years has 60,000 employees, \$16 billion of assets, and about 2,000 offices all over the United States and Canada, and I have had an opportunity to be familiar with personnel policies, administrative policies, and many things that have close parallel to the huge operation of the postal service. I am also conscious, of course, of the many differences between the business I have been

with and the particular type of service responsibilities of the Post Office Department.

I am very happy to have an opportunity to appear here, Senator.

**The CHAIRMAN.** Thank you, Mr. Day.

Are there any questions, Senators?

**Senator MONRONEY.** I believe the biographical information furnished us should be made a part of the record if it has not already been put into the record.

**The CHAIRMAN.** It will be made a part of the record at this time.

(The document referred to follows:)

#### "BIOGRAPHICAL INFORMATION OF J. EDWARD DAY, POSTMASTER-GENERAL-DESIGNATE

"J. Edward Day was born October 11, 1914, in Jacksonville, Ill. He attended the public schools of Springfield, Ill., and in 1935 was graduated from the University of Chicago. In 1938, he received his law degree cum laude from Harvard Law School. During law school, he served as legislation editor of the Harvard Law Review.

"Mr. Day entered the practice of law in Chicago with the firm of Sidley, Austin, Burgess & Smith. The firm is Chicago's oldest and among the largest. At the time, Adlai Stevenson was a partner in the firm.

"During World War II, Mr. Day served 4 years on active duty in the U.S. Navy. He was an officer on a destroyer escort in convoy service to north Africa and commanded a submarine chaser in the South Pacific theater. He was awarded the Navy Commendation Ribbon for his service in tanker escort duty in the Solomons area during 1944. Mr. Day held the rank of lieutenant on separation from the Navy.

"Mr. Day returned to his Chicago law firm following the war. In early 1949, Gov. Adlai Stevenson named Mr. Day to his personal staff and in 1950, Governor Stevenson appointed Mr. Day insurance commissioner of Illinois.

"At the end of the Stevenson administration in Illinois in 1953, Mr. Day became a senior officer of the Prudential Insurance Co. of America at the headquarters office, Newark, N.J.

"In 1957, Mr. Day was named a vice president of the Prudential, in charge of the 13-State western area. Headquarters in Los Angeles, Calif., the division has 7,500 employees and an investment account of approximately \$1½ billion.

"By appointment of Gov. Edmund G. (Pat) Brown, Mr. Day served as a member of the Governor's Business Advisory Council and as vice chairman of the Governor's Commission on Metropolitan Area Problems.

"In the 1960 California election campaign, Mr. Day was a major leader and the treasurer of the campaign for referendum approval of \$1¼ billion bond issue to finance the system to bring water from northern California to the southern part of the State. The bond issue was the largest ever submitted to any American voters. The referendum was approved in November 1960.

"In 1941, Mr. Day married Mary Louise Burgess of Winnetka, Ill. Their three children are Geraldine, 17; Molly, 14; and James Edward, Jr., 12.

"Mr. Day is a member of the governing board of the Wilshire Methodist Church, Los Angeles."

**Senator MONRONEY.** Mr. Day, I am very much impressed with the record of achievement you have made, both in an executive capacity with the large organizations employing great numbers of people, and also your public service that you rendered to two of our greatest States, Illinois and California.

I wonder, since it should be a matter of record, are there any stockholdings or investments that you might have that would in any way be in conflict with carrying out the duties of Postmaster General?

**Mr. DAY.** No, there are not, Senator. The Prudential Insurance Co. is a mutual com-

pany. It has no stock. As of January 19, I will be completely resigned from Prudential and will have no connections with it directly or indirectly. I own no stock of any kind in any company. I have no business interests, direct or indirect, that will in anyway conflict with my performance of this responsibility.

**Senator MONRONEY.** As a user of the mails, this is the only conflict that you may have, and there may be an opportunity to improve the services that are rendered to this mighty and very vast organization.

**Mr. DAY.** Yes, sir, that is correct.

**Senator MONRONEY.** Thank you.

I have no further questions, Mr. Chairman. **The CHAIRMAN.** Senator CARLSON?

**Senator CARLSON.** Mr. Chairman, the Senator from Oklahoma has just made reference to the conflict of interest statute, and if the Senator does not object, I suggest that that portion of the statute be printed in the RECORD.

**The CHAIRMAN.** I hear no objection. The statute shall become a part of the RECORD at this point in the hearing.

(The excerpt of the conflict of interest statute follows:)

"Whoever being an officer, agent, or member or directly or indirectly interested in the pecuniary profits or contracts of a corporation, joint-stock company or association, or any firm or partnership, or a business entity, is employed or acts as an officer or agent of the United States for the transaction of business with such business entity, shall be fined not more than \$2,000 or imprisoned not more than 2 years or both."

**Senator CARLSON.** I, too, think that you have come into this field with a very fine background. You have been part of a large organization, and you are going to be part of a much larger one. You are going to have some problems, as all previous Postmasters General have had, I am sure.

Today we received the President's budget message for the 1962 budget. In checking some figures I found that in 1952 the Post Office deficit was \$719 million. In 1953 it was reduced to \$650 million. It was further reduced in 1955 to \$362 million. Since that time we have had many increases—wage increases, railroad cost increases—and the deficit continued to climb in 1960 to \$635 million. I am advised by the Budget this morning that the 1962 deficit will be probably \$850 million.

Have you had time to give any thought to what we might do regarding its rising deficit? I realize that it is not only your problem, but also the problem of Congress. All of us are concerned as to what might be done.

**Mr. DAY.** Senator, of course the matter of attempting to control and reduce the deficit will be a prime priority concern of the Department—to make recommendations on that subject—but just what we will do in that area I haven't had an opportunity to consider. It involves, from the standpoint of recommendations, administration policies. I haven't had an opportunity as yet to discuss it with the President-elect.

One thing I am hoping to do immediately after taking over these responsibilities is to see if there are some areas where dollar savings can be made in the management and headquarters end of the Post Office Department operation.

I don't know as yet whether something substantial can be done there. I want to look into that as a matter of first concern, but we are very conscious of the size of these figures you mentioned, and we will be working on it very hard and very fast and hope to have some recommendations soon.

**Senator CARLSON.** General, you will be placed in charge of over 500,000 of the finest and most dedicated employees that the Federal Government has. They have secured and earned their positions through many, many years of service in the Department.



The Department heads come and go, but we are fortunate in this country to have a fine administrative group of people that really carry on the operations of this Government.

I have been very concerned recently in reading in the press some of the statements on the civil service program—particularly those written by John Cramer, and Jerry Klutts and Joe Young, who have been in this field for many years. They have been writing about some proposed changes in regard to the dismissal of employees, and particularly in the schedule C category.

I am going to quote now. This is not my statement but a statement written by John Cramer, and also by others. This is regarding the Civil Service Commission, and, of course, you are not the Chairman of the Civil Service Commission but you will have contact with the Civil Service Commission, and your employees are under that group.

This quote reads:

"The Civil Service Commission has ruled that in the future such an employee," speaking of the schedule C employees, "may be dismissed on the mere statement of his superior that he lacks confidence in the employee."

I wanted to read that into the record because that is a departure from what we have been doing in the past, and I sincerely hope that your Department and the Civil Service Commission will not in any way try to get around the rules and statutes of the Civil Service Commission and merely let the whim of an individual, no matter who he be, remove a Federal employee because he just says the word.

Would you have any comment on that?

Mr. DAY. Senator, to begin with, of course, I am a great believer and admirer of the career public servant in the Post Office Department and elsewhere in the Federal Government. During the month that I have been intimately interested in this Department, and during my visits to a number of post offices to look over their operations during my visit here, and in Los Angeles, with many people in the postal service, I have been greatly impressed with the spirit and the dedication of the people in the postal service, and I have met a number of the people here in Washington in the Department. I haven't observed any from the standpoint of what I have been able to see so far, that I think there would be any justification for dismissing on any such basis as you refer to, and I think that the career service will be respected in that area.

Senator CARLSON. General, it was my privilege to have served on the Post Office and Post Roads Committee in the House of Representatives, and through the kindness of the chairman of this committee and the Senate, I have had the privilege to be on this committee for many years. I want to assure you that I am going to try to give you all the cooperation I can, and, whenever the chairman calls the committee to vote, I expect to vote for the Department.

Mr. DAY. Thank you, Senator.

The CHAIRMAN. Thank you, Senator, for those remarks.

Let me say that during the 10 years that I have been chairman of the committee, Senator CARLSON has been most cooperative. When he was chairman, I tried to cooperate with him, and we have had perfect cooperation through the years.

Senator YARBOROUGH, do you have any questions?

Senator YARBOROUGH. Mr. Chairman, I had the honor and privilege of having been personally acquainted with Mr. Day for several years. I think that the Nation is extremely fortunate in having him designated as Postmaster General. I feel that he comes to that position with qualifications not excelled by any person who has ever held that position in the long history of this country. He has had a brilliant record in college. He has

been commended for 4 years of active duty in combat zones in World War II. He has been eminently successful in the law, in the government of two different States—in Illinois under Adlai Stevenson as a member of his cabinet, and in California in two very important assignments by Governor Pat Brown. He also heads a vast segment of one of the largest businesses in this country.

With that success in law and government, in the military service in time of war, and in business, he brings to this position one of the best rounded experiences in life that I have seen in any Cabinet officer at any time.

I think the President-elect has done the country a service in nominating Mr. Day for Postmaster General. I know it's a very difficult post, and the mounting deficit has been mentioned by the distinguished minority member of the committee, Senator CARLSON, who has studied this matter for a great many years. The postal system renders a number of services which are not postal services, but come under general services to the people, in the field of social security, and even in reporting of game under the migratory bird laws, and in many other fields. They render many services besides postal service to the American people, and it's important business of course.

In the rural areas in small towns the postal official is the only representative of the Federal Government the people ever see in their lifetime, so I am particularly pleased that a man with this broad business and governmental experience has come to this post. I think it will challenge the high talent of General Day.

The CHAIRMAN. Thank you, Senator YARBOROUGH.

Senator FONG, do you have any questions?

Senator FONG. Mr. Day, I notice from your record that you are a graduate of Harvard Law School in the year 1938. I am an alumnus also, class of 1935, and I want to congratulate you and greet you and welcome you into the Government service.

The present Postmaster General has followed the policy of allowing first-class mail to be sent to the State of Hawaii on space available by plane. Do you think you will follow that same policy?

Mr. DAY. Well, I realize, Senator FONG, that that is an issue within the Department, and it is a congressional issue as well. About all I have had an opportunity to do so far is to become conscious of the fact that there are very intense arguments on both sides of it. I certainly will give it my most careful attention, but I haven't reached any conclusion as to what my recommendation will be.

Senator FONG. If first-class mail goes by the regular route, it will take approximately 10 days, 4 days across the continent and then probably 4, 5, or 6 days by ship. By plane it takes 10 or 12 hours. The present Postmaster General has followed the practice of sending first-class mail by plane on space available. I hope you follow that same policy.

Another question I would like to ask you, Mr. Day is, Do you believe that the Post Office should pay its way?

Mr. DAY. Senator, I have been very recently educated in the fact that there is a major area of dispute as to the allowance that should be made for the public service aspect of the Post Office Department's functions, and that there are many arguments as to just what the amount of the deficit really is, and as to what paying its way amounts to in dollars. I do believe that the matter of controlling and reducing the deficit is our top priority consideration when we come into office in making recommendations on that subject, and that is something that I intend to discuss with the President-elect and with the other officials in the administration at the earliest possible opportunity.

Senator FONG. If, after making a very thorough investigation of your Department, you find that you have been able only to cut expenses in a few cases, and that you still are faced with a big deficit, would you hesitate to recommend an increase in postal rates?

Mr. DAY. No, sir.

Senator FONG. Thank you.

The CHAIRMAN. I noticed that Mr. Day in his answer regarding possible rate increases gave recognition to the Postal Policy Act of 1958 which requires the Postmaster General to list all of the public service functions performed by the Department and to estimate their total cost. These costs should be borne by all of the people and not charged against the users of the mails. This is a sound policy which has not been honored. Until it is we will never know the true deficit of the Department.

I think that is a very important matter that you should study thoroughly before you make any determination, as you have stated here this morning. But we, too, as a committee have given that quite a bit of study, and we came up with a unanimous report under both the Democratic and Republican administrations—setting up policy in this particular field. I know I am speaking for the Congress when I say that should be looked into thoroughly before any definite statement is made in regard to rates or anything in that field.

Senator JORDAN, do you have any questions?

Senator JORDAN. Mr. Chairman, I don't have any questions to ask. I think all the questions that I would care to ask have been asked and have been answered very satisfactorily.

I just want to say that I am very happy that the President-elect saw fit to nominate Mr. Day for this important position, because it is certainly an important position in our Government and one of the agencies that I think is losing the most money of any agency we have got. It is supposed to pay part of its way, and with your excellent background and good judgment and public service, I am certain that you will do a grand job and you will have my fullest support.

The CHAIRMAN. Are there any other questions?

(No response.)

The CHAIRMAN. We don't usually permit the public to question our witnesses but if anyone has any questions he wishes to ask Mr. Day, permission is granted. This is a public hearing.

I assume there are none, since I don't see anyone jumping up.

We are very happy to have you before us today, Mr. Day. Immediately after this hearing this morning this committee will go into executive session. We will then vote upon your nomination.

We think, from your statement this morning, and from the investigation that the committee has made, that you will make an excellent Postmaster General. We are glad to have you with us today.

Mr. CARLSON. Mr. President, I fully concur in the statement made by the chairman of the Committee on Post Office and Civil Service in respect to the nomination. The nomination was not only approved unanimously, but also I think expressions were made that we were pleased by Mr. Day's nomination.

I think it is particularly fine that we shall have in the Post Office Department a former chief clerk of the Senate Committee on Post Office and Civil Service, Mr. H. W. Brawley, as Deputy Postmaster General.

I believe we shall have as the Assistant Postmaster General in charge of operations a man who has had many years

of experience as the chief clerk of the House Committee on Post Office and Civil Service, Mr. Fred Belen.

These men should be of great assistance not only to the Postmaster General but also to the Congress.

I am pleased that the chairman of the committee has had the hearings of the committee printed in the *RECORD*, because I asked one or two questions about problems which are going to confront the Postmaster General. One of them is the great deficit in the Post Office Department, which in the next fiscal year will be over \$850 million. This is a problem not simply of the Postmaster General but also of the Congress.

Secondly, I was glad to hear the statement that the Postmaster General is going to insist that the rules and regulations of the Civil Service Commission and the laws as they affect the Federal employees of this Nation be followed during his administration, because I have read some rather disturbing reports about changes which may be made without regard to the Civil Service laws, with respect to the matter of selecting personnel. The Postmaster-General-designate was very emphatic on it. It is a matter of record. I appreciate very much that the chairman has had the entire hearing printed in the *RECORD*.

Mr. JOHNSTON. Mr. President, Mr. Day was also very definite about the fact that he was going to make a thorough study of the Postal Policy Act of 1958, which the House and the Senate passed some years ago, supported by Democrats and Republicans. He stated he would give that serious study and would report to the Senate in regard to it.

Mr. President, I move that the nomination be confirmed.

The VICE PRESIDENT. The question is, Will the Senate advise and consent to the nomination of J. Edward Day to be Postmaster General?

Without objection, the nomination is confirmed.

Mr. JOHNSTON. Mr. President, I ask that the President be immediately notified.

The VICE PRESIDENT. Without objection, the President will be immediately notified.

The clerk will state the next nomination.

#### NOMINATION OF STEWART LEE UDALL TO BE SECRETARY OF THE INTERIOR

The legislative clerk read the nomination of Stewart Lee Udall, of Arizona, to be Secretary of the Interior.

Mr. ANDERSON. Mr. President, it has been my pleasure to know Stewart Udall since the first day he became a Member of the House of Representatives. I have watched his career. I have great faith in him. I have great confidence in his ability to discharge the responsibilities of the Secretary of the Interior.

The Committee on Interior and Insular Affairs held hearings in regard to the nomination and, by unanimous vote, favorably reported the nomination to the Senate. I am sure my colleagues on both sides of the aisle had a satisfactory hearing. I hope the nomination will be quickly confirmed.

Mr. MORSE. Mr. President, I come from a State in which problems of our natural resources, which fall under the jurisdiction of the Department of the Interior, are of vital importance to the economic welfare of the State. Therefore, Mr. President, my State has a special concern about the personnel of the Department of the Interior, and particularly about the man who serves as Secretary of the Interior.

I rise to offer my congratulations to the President of the United States with respect to the appointment of Secretary-of-Interior-designate Udall—for the honor and the opportunity for public service which has been bestowed upon him by the President of the United States.

Mr. President, I think this is a very sound appointment. Representative Udall, as a Representative in the House of Representatives dealing with natural resources problems, displayed a judicial temperament, impartiality and fairness which commended him for the appointment.

I rise to express my enthusiastic approval of the nomination.

Mr. HICKEY. Mr. President, as a member of the Interior and Insular Affairs Committee I was privileged to hear the statements regarding the Secretary designate.

I am pleased to know of Mr. Udall's knowledge and concern in the Western States, displayed by his attendance at the Colorado River Commission meeting December 2, 1960.

I will vote to confirm the President's nomination of Mr. Udall.

Mr. METCALF. Mr. President, I would be remiss if I did not inform my colleagues of my knowledge of the special qualifications of this nominee, because of the association which I have had with him in the House of Representatives.

For 6 years he and I served together on two of the great committees of the House of Representatives, the Committee on Interior and Insular Affairs and the Committee on Education and Labor. We sat side by side and worked together on those two great committees. There is no man in America who is better qualified than Stewart Udall to administer the land, water, and mineral resources of our great Nation.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. METCALF. I gladly yield.

Mr. MANSFIELD. I wish to join my colleague in what he has said with respect to the nomination of Stewart Lee Udall from Arizona. Not only the western part of our country, but also the entire Nation is extremely fortunate to have a man of the character of Mr. Udall. He is a man of ability and integrity, and is well qualified to look after the manifold duties required by the Office of Secretary of the Department of the Interior. I am happy to join my colleague, who knows him so well, in asking that the Senate give unanimous approval to this nomination.

Mr. METCALF. I thank the majority leader.

Mrs. NEUBERGER. Mr. President, I should like to join my fellow northwesterners from Montana in expressing my great delight in the selection of Stewart Udall to be Secretary of the Interior. The people of my State have a particular interest in that Department because of its great influence over our resources, conservation practices, and the national parks. I wholeheartedly support the nomination and am delighted to join Senators in giving unanimous approval.

Mr. JACKSON. Mr. President, it is a privilege for me to join my colleagues in commending the appointment of Stewart Udall as Secretary of the Interior.

A better man could not have been selected. Stewart Udall is not only familiar with the many problems he will face in his new position, he is intimately acquainted with them through his service on the House Interior Committee.

I have had the privilege of working with Stewart Udall and from that association, I know that he will bring to the Interior Department strong ideals and new vigor.

Mr. MUSKIE. Mr. President, it gives me great pleasure to rise in support of President Kennedy's nomination of the Honorable Stewart L. Udall, of Arizona, to be Secretary of the Interior.

Mr. Udall comes to this post as one eminently qualified to be responsible for the conservation of our Nation's natural resources. As a Member of the House of Representatives he has distinguished himself as a vigorous and able Representative of his State, always balancing his own views against the needs of the entire country.

As a Senator from a State with abundant forest, water, and land resources, possessing the magnificent Acadia National Park and the very fine White Mountain National Forest, I am conscious of the need for an intelligent program of conservation if we are to realize the full potential of our natural gifts. I am confident that in Mr. Udall we will find an able and active friend.

Mr. CHAVEZ. Mr. President, I am most delighted that the President has appointed Stewart L. Udall to be Secretary of the Interior. The Udalls are westerners, just as much New Mexicans as residents of Utah. We always got along with them. One of the best appointments the new President has made, which are all good, is that of Stewart Udall to be Secretary of the Interior. When the President appointed him it was pleasing to us. We know the Udalls, and we trust them.

Mr. CANNON. Mr. President, it is a pleasure for the junior Senator from Nevada to heartily endorse the nomination of Stewart Udall to be Secretary of the Department of Interior.

My State of Nevada, whose land is controlled by the Federal Government to the extent of 87 percent of all the land within its boundaries, views this appointment as one of the most promising signs of the new administration. We are confident that Mr. Udall will take decisive and imaginative steps to promote the orderly development of much of this now idle



territory. We see in this appointment an opportunity to move forward in the field of reclamation.

Nevada, Mr. President, was the site of the Federal Government's first reclamation project, and I hope that the great work begun there many years ago in this important field will at last advance again.

In my judgment, Stewart Udall knows from first hand experience and from his long years of public service the peculiar problems of the West and will do great work in the long neglected field of Indian affairs, in power and water development, and in the marshaling of the resources of the West to meet the challenges which lie before this Nation.

Mr. BURDICK. Mr. President, I am highly pleased with the nomination of Stewart Udall as Secretary of Interior, and will be only too happy to cast my vote for confirmation.

I served on the Interior and Insular Affairs Committee in the House of Representatives with Mr. Udall during my term in the House. I know of Mr. Udall's dedication to the preservation and development of our natural resources. I know of his unquestioned integrity and devotion to his country. I know that Stewart Udall will be one of the outstanding Secretaries of Interior, and the Nation is fortunate to have the benefit of his abilities and services. As a member of the Senate Committee on Interior and Insular Affairs, I look forward to working constructively with Secretary Udall.

Mr. BARTLETT. Mr. President, the people of Alaska are particularly blessed to have in the person of Stewart L. Udall a man who has more than a passing knowledge of the 49th State. This statement can be enlarged to encompass all the areas in which the Interior Department has widespread interest. When Delegate in Congress from Alaska I had the privilege of serving with Stewart Udall on the Interior and Insular Affairs Committee at a time when a multitude of problems affecting the Western States came before that group. Foremost among those problems was the fight for Alaska statehood. Not only did Stewart Udall devote much time to this cause, for which the people of Alaska will always be grateful, but he displayed at all times a marvelous and articulate interest in the varied problems before the committee. No finer appointment has been made. It is an appointment of which President Kennedy and the entire country can be proud.

Mr. CHURCH. Mr. President, it is a great pleasure for me to cast my vote in confirmation of Stewart Udall as our new Secretary of the Interior. There are few men so well equipped to administer the affairs of the Interior Department as the man President Kennedy has nominated.

Stewart Udall is a westerner from a pioneer family. He has a native understanding of the matters with which the Interior Department must deal. He is, moreover, a public man, whose service in the House of Representatives has given him both the experience and perspective

needed to successfully conduct the high office to which he has now been called.

But more than this, Stewart Udall is one of the strongest, ablest men with whom I have become acquainted since I first came to Washington. I think the country is fortunate to have the benefit of his services in the Cabinet of our new administration.

Mr. MOSS. Mr. President, I rise to support the President's nomination of Stewart L. Udall to be Secretary of the Interior. Mr. Udall has served his State and the West as a Congressman and has been in the forefront of congressional efforts in resource development. He has served with distinction on the House Interior and Insular Affairs Committee and is fully acquainted with the operations of the great Department which he will now head. The Department of the Interior is one of the largest Cabinet departments of the Government and deals with many complex problems affecting every part of our national life. I will not prolong my remarks to discuss in detail the role of the Department nor the detail of Mr. Udall's qualifications. I am sure that he is prepared to give great leadership to this Department and as a member of the Cabinet of our great President, John F. Kennedy. We find in Mr. Udall many of the qualities which we admire so greatly in our President. He is young and vigorous, but experienced and wise. He represents the best of a new generation of leaders in America. I join with my colleagues in wishing him every success in the years ahead and with great pride I cast my vote to confirm his nomination.

The PRESIDING OFFICER (Mr. ANDERSON in the chair). The question is, Will the Senate advise and consent to this nomination?

Without objection, the nomination is approved.

Mr. SMATHERS. Mr. President, I ask unanimous consent that the President be immediately notified of the Senate's confirmation of the nomination of Stewart L. Udall.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF ORVILLE L. FREEMAN TO BE SECRETARY OF AGRICULTURE

The legislative clerk read the nomination of Orville L. Freeman to be Secretary of Agriculture.

Mr. ELLENDER. Mr. President, as soon as it became known that Mr. Freeman's nomination was to be sent to the Senate for confirmation I gave notice that the committee would hold hearings on the 13th of January. Practically all members of the committee were present. We held hearings for over 2 hours. I and the clerk of the committee talked to most of the members of the committee who were not present. I do not know of any opposition from any member of the committee to Mr. Freeman's nomination, and I do not know of the opposition of any other Senator. I asked the committee clerk to notify every Senator who had an interest in the nomination, and up to the present time there has been no opposition to Mr. Freeman's nomination. I hope that his nomination will be approved.

Mr. MANSFIELD. Mr. President, I wish to join the distinguished chairman of the Committee on Agriculture and Forestry, in what he has said in relation to the nomination of former Gov. Orville L. Freeman, of Minnesota for the office of Secretary of Agriculture. Mr. Freeman has no illusions about the difficulty of the job which confronts him, and certainly he enters upon it with the proper degree of humility, understanding, and, I assume, on the basis of his record as Governor of a great State, the proper degree of tolerance as well. There is no question about the difficulties which confront the farmers of this country, but it is my hope that the action requested by the chairman of the Committee on Agriculture and Forestry will be acceded to by the Senate today.

Mr. SMATHERS. Mr. President, I should like to ask unanimous consent that Senators who may wish to make a statement with respect to the nomination of Orville Freeman be permitted to do so at a later time.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. SMATHERS. Mr. President, I yield to the Senator from Minnesota.

Mr. HUMPHREY. Mr. President, I wish to join with my colleagues who have commented upon the nomination of former Gov. Orville L. Freeman, of Minnesota, as Secretary of Agriculture. I have just been reminded by the illustrious Senator from Alabama [Mr. HILL] that brevity will assure confirmation, and I shall be brief.

With reference to the Governor of Minnesota, I can only say that his record of public service is exemplary. His courage has been demonstrated on the field of battle and in the fire of the decision-making process of government. He is a man of integrity, probity, and loyalty—a man whom I am proud to call my admired and respected friend. Former Governor Freeman will bring to the office of Secretary of Agriculture an intimate knowledge of the problems of American farmers, long training and experience in administration, and a determination that the problems that afflict the agricultural economy of America must be squarely faced and met. There will be no flinching, no shirking from his responsibility for the welfare of the American farmer despite the unfortunate precedent set in the past 8 years. The new Secretary of Agriculture will speak eloquently and work effectively for the family farmer, and for every segment of agriculture.

Former Governor Freeman is deeply conscious of the role which America's magnificent abundance of food and fiber can and must play in America's new foreign policy, as well as in the relief of suffering here at home. He is dedicated to the idea of Food for Peace.

Finally, Governor Freeman will approach his tasks, as he demonstrated before the Committee on Agriculture, with an open mind, a desire to listen and to learn, a willingness to try new solutions, and a determination to act in the best interests not only of agriculture but also of the entire economy. I feel sure

that his record will recommend itself to every Senator.

Mr. AIKEN. Mr. President, former Gov. Orville L. Freeman will assume the position of Secretary of Agriculture at a time when American agriculture is the envy of the entire world. We have the most productive agriculture in the world. We have the best fed people and best clothed people of any nation in the world. It will be former Governor Freeman's duty to maintain this proud position of American agriculture. He will have among other duties connected with his job the duty of maintaining the soil and water resources of the United States and of improving them. He will also have the duty of attempting to secure for American farmers compensation for their labors which is comparable to that received by people engaged in other areas of our economy.

I have known former Governor Freeman for several years. I have not always approved of the positions which he has taken in relation to farm programs. He has appeared before the Committee on Agriculture and Forestry, and has sometimes supported legislation with which I could not agree. However, when he appeared before the committee, he appeared as Governor of one State of the Union. He appeared as the representative of the people who had loyally supported him and enabled him to reach a high political position which he held, and it was only natural that he should support those people and their views in return.

However, now he will be not merely the representative of Minnesota, not merely a representative of any farm group with which he has previously been in sympathy, but the representative of the people of the 50 States of the Union.

Last week former Governor Freeman appeared before our committee, which is headed by the distinguished Senator from Louisiana [Mr. ELLENDER]. He made a very good appearance before that committee. He spoke frankly, and I realize from his testimony that he knows that as Secretary of Agriculture he will represent all the agriculture of the United States.

I believe that he has the heart and mind which qualify him for this great and honorable position, and I am glad to support the nomination of Orville Freeman for Secretary of Agriculture.

The VICE PRESIDENT. The question is, Will the Senate advise and consent to this nomination?

Without objection, the nomination is confirmed.

Mr. ELLENDER. Mr. President, I ask that the President be immediately notified.

The VICE PRESIDENT. Without objection, the President will be notified.

NOMINATION OF LUTHER H. HODGES TO BE SECRETARY OF COMMERCE

The legislative clerk read the nomination of Luther H. Hodges, to be Secretary of Commerce.

Mr. PASTORE. Mr. President, on behalf of the Committee on Interstate and Foreign Commerce, it is my privilege to report the favorable recommendation of the committee for the nomination of

Luther H. Hodges to be Secretary of Commerce.

Mr. Hodges appeared before our committee during the past week. I can assure the Senate that he made a very favorable and impressive mark on the members of the committee. We feel that he is ably qualified to assume this very responsible position in these very vexing times.

I had occasion to say once or twice on the floor of the Senate that I believe one of the most interesting challenges which confronts the Congress and the people of the country is in connection with the whole matter of international trade—imports and exports.

I feel that through his background and through his qualifications and through his experience Mr. Hodges is well qualified to assume the responsibility of guiding this Nation in the proper direction.

I urge upon the Senate that the nomination be confirmed.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. PROXMIRE. At page 28 of the hearings on this nomination, colloquy is shown as having taken place between the chairman of the committee, the Senator from Washington [Mr. MAGNUSON] and Governor Hodges on the question of conflict of interest. In the course of that colloquy it appears that the chairman had directed the nominee to file with the committee, for the committee files, a list of his personal holdings. The question is as follows:

The CHAIRMAN. Now, would you be willing to file with the committee for the committee files a list of your personal holdings, what you have divested yourself, what you still hold?

The reason I raise the question is that Mr. Hodges certainly has been an eminently successful businessman. He has had a splendid record, mostly in the textile industry, and has devoted his life to the textile industry. Certainly he has been a national business leader in that field, as vice president of Marshall Field.

It is my understanding that, with the Secretary of the Treasury and the Secretary of State, he is one of three men who makes recommendations to the President with respect to the findings of the Tariff Commission. Obviously, it therefore seems to me that if he still had textile holdings, or if his family had textile holdings, in which he had any benefit, there might be a conflict of interest.

For these reasons I have asked the distinguished acting chairman of the committee, the Senator from Rhode Island, whether this request of the chairman of the committee has been complied with.

Mr. PASTORE. Anticipating the question on the part of my good friend the Senator from Wisconsin, I made inquiry of members of the staff of the committee, and they have assured me that by telephonic communication Mr. Hodges has assured the committee that he has divested himself of all industrial stocks, and now holds bonds and mutual funds with strictly family situations, and is interested in a local lumber company and a restaurant, but that the stocks of

none of these companies is traded on the market.

I believe that assures my good friend from Wisconsin and other Members of the Senate that there is no conflict of interest in so far as this particular nominee is concerned.

Mr. PROXMIRE. I thank the Senator.

Mr. SCHOEPPPEL. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. SCHOEPPPEL. I thank the Senator from Rhode Island. As he has indicated, the nominee appeared before the Committee on Interstate and Foreign Commerce, and he answered the inquiries directed to him on many subjects forthrightly, considerately, and candidly. He impressed the senior Senator from Kansas as being both candid and frank. He is a man of mature and considered judgment. I am sure he will most capably consider the various facets of the many problems which will come before him in his important position, particularly their relation to the various and sundry industries of our State and Nation.

It was brought out during the hearing that the nominee is particularly experienced and informed in the textile industry. He was asked what his interest would be along agricultural product lines and on promoting additional usage of agricultural products particularly through international fairs, and whether he would advertise agricultural products which are so vital to an important segment of our Nation. He showed great knowledge and sympathetic understanding. He convinced me beyond doubt that he would do everything he could in the furtherance of the entire program.

Governor Hodges is the oldest of our new President's nominees to Cabinet rank. I am happy that we will have his experience and mature judgment in this important post. I believe he will bring to the office of Secretary of Commerce an understanding that will be helpful in every way. I am that sure his nomination will be confirmed unanimously.

Mr. ERVIN. Mr. President, I have the unprecedented privilege of supporting a college mate for confirmation of his nomination to be Secretary of Commerce.

I have known Luther Hodges well ever since he and I were fellow students at the University of North Carolina at Chapel Hill. I have followed his career since our student days with deep admiration and profound affection.

I believe that the President could not have found anywhere within the United States a man more ideally equipped for the post of Secretary of Commerce than Luther Hodges.

Luther Hodges has brought to every task to which he has put his hand, fine intelligence, unflagging energy, and complete devotion to duty. In my judgment a man is best qualified for the post of Secretary of Commerce when he has had vast business and industrial experience, and when he has had vast political experience. Luther Hodges possesses both of these qualifications in the highest degree. He has made an outstanding success in business and industry. He



has made an outstanding success as Governor of North Carolina.

For these reasons, and also by reason of my deep affection and profound admiration for this old school mate of mine, it is a great privilege to have the opportunity to stand on the floor of the Senate and urge that his nomination be unanimously confirmed for the office for which he is so ideally equipped.

Mr. JORDAN. Mr. President, it is with a great deal of pride that I rise at this time to urge the confirmation of my good friend and fellow North Carolinian to the high post of Secretary of Commerce.

I believe that all people over the country will agree that the Commerce Department as it now exists in our country is one of the most important agencies of our Government, because it deals with business all over the world—not only domestic, but foreign business also. It is a field in which we have been lagging.

Governor Hodges is no stranger to a great many Members of the Senate. I remember that a good many years ago when the distinguished Senator from New Mexico [Mr. ANDERSON] had a job to do while he was Secretary of Agriculture, he called Mr. Hodges to come in. I believe he worked on that job for about a year for Secretary Anderson, and did a magnificent job.

North Carolina has had a great many other outstanding and fine Governors over a period of many years.

Senator Hoey was Governor of the State and later became a Senator from North Carolina. Senator Scott also served as Governor of North Carolina. So did Senator Broughton. Then there was Senator Umstead. Mr. Hodges served as Lieutenant Governor of North Carolina when Mr. Umstead was Governor. On the unfortunate death of Governor Umstead, Mr. Hodges became Governor of the State. Later Luther Hodges was elected for a full term as Governor. Therefore he is known to a great many Senators.

During the last war he was the head of the Textile Division of the OPA and a consultant to Secretary of Agriculture Anderson, who is now the distinguished junior Senator from New Mexico.

Governor Hodges has had vast experience, not only in government affairs, but also in business affairs, as my distinguished colleague has pointed out. Only in the past year he took a group of distinguished North Carolinians all over Europe on a study of business conditions, in an endeavor to bring more business to North Carolina and to stimulate export trade from North Carolina to Europe. Governor Hodges is acquainted with Europe. I do not know of any man whom the President could have selected, as the distinguished senior Senator from North Carolina [Mr. ERVIN] has pointed out, who has had more experience in business, and politics also, because politics enters into the dealings between the people of the United States and the people of foreign countries.

I strongly recommend to the Senate the unanimous confirmation of the nomination of Luther H. Hodges to be Secretary of Commerce.

The PRESIDING OFFICER. (Mr. BIBLE in the chair). The question is, Will the Senate advise and consent to the nomination of Luther H. Hodges to be Secretary of Commerce?

The nomination was confirmed.

Mr. PASTORE. Mr. President, I ask that the President be immediately notified of the confirmation of the nomination.

The PRESIDING OFFICER. Without objection, the President will be immediately notified.

#### NOMINATION OF ARTHUR J. GOLDBERG TO BE SECRETARY OF LABOR

The legislative clerk read the nomination of Arthur J. Goldberg to be Secretary of Labor.

Mr. HILL. Mr. President, when Mr. Goldberg was nominated to be Secretary of Labor and appeared before the Committee on Labor and Public Welfare for the consideration of his nomination, he was asked a number of pertinent questions. He answered all of them frankly, freely, and very intelligently. He summed up his conception and understanding of the duties of administrator of that Department in these words:

My view, briefly stated, is that our society is not a class society and the Department of Labor is not and should not be a class department.

The Department of Labor is charged by statute with the responsibility of promoting the welfare of the wage earners of the United States. As Secretary, I will attempt fully to implement that policy, but in so doing I do not believe the Department should be regarded as the representative of any special interest group but as a Department representing all sections and interests in our society.

It is my firm belief that although each department of government necessarily must place special emphasis on the sphere of activity with which it is concerned, it must, within that sphere, speak for and promote the welfare of all Americans and not any special group or class.

If I am confirmed as Secretary of Labor, I intend to administer the Department in accordance with that belief.

Mr. President, after Mr. Goldberg had answered the questions, after he had made a very impressive and excellent presentation, the committee, on the motion of the distinguished junior Senator from Arizona [Mr. GOLDWATER], voted unanimously to recommend to the Senate the confirmation of his nomination.

Speaking as the chairman of the Committee on Labor and Public Welfare, I ask that the Senate confirm the nomination of Mr. Goldberg to be Secretary of Labor.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. DOUGLAS. Mr. President, as a Senator from Illinois, which is Mr. Goldberg's home State, and as a long-time personal friend, I am very happy to endorse his selection as Secretary of Labor.

Mr. Goldberg was graduated from the Northwestern University Law School at an early age at the head of his class. He was admitted to the bar of the State of Illinois, where he quickly made a very brilliant reputation. He was, in a sense, a lawyer's lawyer. He argued many ap-

peal cases with great distinction. He has always been a man of warm human sympathies and great social usefulness.

For many years, he was one of the leading attorneys of the labor movement. In that capacity, he helped to purge the labor movement of a number of unions which had fallen into undesirable hands. He is a man who has not only a keen legal mind, but firm principles, as well. At the same time, he is diplomatic in his conduct, and balanced and fair in his judgment. In every respect, he is a fine person. In my opinion, he will make a truly distinguished Secretary of Labor.

Mr. HILL. Mr. President, I yield to the distinguished junior Senator from Illinois, the minority leader.

Mr. DIRKSEN. Mr. President, for at least 25 years I have esteemed Arthur Goldberg as a personal friend. I first knew him as a young attorney in Chicago, when he was but 27 years of age. Incidentally, he is now only 52 years old, and when he came for a visit recently he said he was the second oldest man in the Cabinet. So the second oldest man, at 52, gives some point to the fact that we shall certainly have a young and vigorous Cabinet. I understand that the Secretary of Commerce, former Governor Hodges, is probably the oldest member of the Cabinet.

From my first acquaintanceship with Arthur Goldberg, I esteemed him as a very able and resourceful lawyer, a man of deep conviction, who has done notable work in the labor field. He has never become hidebound in that field, although it is a specialized field of activity.

I believe Mr. Goldberg will perform outstanding service as Secretary of Labor, and that he will direct himself to a very broad objective by working in behalf of industrial peace and a better relationship between labor and management.

I salute Arthur Goldberg as a great lawyer and as a fine, dedicated American. I think he will pursue that broad objective with real vigor. I wish him well in that endeavor.

I was glad to concur in the action of the committee in bringing his name before the Senate for confirmation.

Mr. HILL. Mr. President, I yield to the distinguished Senator from Oregon.

Mr. MORSE. Mr. President, I desire to add my voice in commendation of this nomination. In the various capacities in which I have served in the field of labor law, Mr. Goldberg has appeared before me many times as an advocate in behalf of or in opposition to some legal issue. I think I know the leading labor lawyers of America very well. I know of no lawyer in the field of labor relations who is more able, more brilliant, and more thoroughly grounded in the knowledge of industrial-relations law than the nominee for the office of Secretary of Labor, Arthur Goldberg.

I point out to the Senate that Arthur Goldberg is not a labor leader. He is not a union official. Arthur Goldberg is a labor lawyer. I have no objection at all, and would have no objection at all, to the appointment of any one of many great labor leaders in this country to be Secretary of Labor—and I shall mention

a few of them in a moment—any more than I think there would be any justification for objection to the appointment of a great captain of industry to be Secretary of Commerce. The Senate has just finished confirming the nomination of a great captain of American industry for whom I have exceedingly high regard, the distinguished Secretary of Commerce, Mr. Hodges, of North Carolina. I think his is a very fine appointment.

However, in this particular instance a labor leader was not selected to be Secretary of Labor. There is no reason why one should be or should not be. However, I think a great labor lawyer was selected; and if one will read the hearings on the nomination of Mr. Goldberg, he will recognize the truth of what I now say, namely, that the nominee will take with him, when he serves as Secretary of Labor, a highly developed and sensitive sense of judicial responsibility.

I know that often it is said that the Secretary of Labor sits as the representative of labor, that the Secretary of Commerce sits as the representative of commerce, and that the Secretary of Agriculture sits as the representative of agriculture. But that is not so; in my judgment, insofar as their responsibilities are concerned, the members of the President's Cabinet advise him on the basis of what they believe to be best in the public interest in connection with the matters handled by their Departments. These nominations are supposed to be made—and I believe that the ones on which we have already acted today have been made in that way—on the basis of the special qualifications and fund of knowledge of the individual nominee as regards the matters which fall within the Department which he will head.

In this instance, there has been appointed to be Secretary of Labor a brilliant labor lawyer who has an exceedingly long and experienced background in the field of labor law, including labor litigation; and he is particularly well qualified to advise the President as to what in his judgment would be in the best public interest as regards labor problems and labor legislation.

Mr. President, I dwell briefly on that aspect of the matter, because I have served, under the able leadership of the Senator from Alabama [Mr. HILL], on the Senate Committee on Labor and Public Welfare; and in that service I have had two different assignments during the past 16 years that I have served in the Senate, and I now continue to serve on that committee. At this session of Congress—and I am sure the Senator from Alabama will be the most expert witness I could call to support my statement in regard to this matter—we shall be called upon to deal with some extremely difficult problems in the field of labor relations. I believe that we are most fortunate in having so experienced a person as Arthur Goldberg serve in the position of Secretary of Labor, for in that capacity he will, in accordance with his duty, come to the Senate Committee on Labor and Public Welfare and explain and defend the position of the administration in regard to any legisla-

tive proposal it may wish to submit to the Congress.

Furthermore, let me point out that at this particularly trying time we not only need a great lawyer to serve at the head of the Labor Department, to advise President Kennedy in respect to labor problems which confront us, but we also need in that position a man with a background of experience in the field of labor relations, one who can work with, and can adjust any differences which may develop among, the labor leaders of the country. Often I am amused when I recognize that some persons are under the misapprehension that labor is of one mind in regard to any labor program in our Nation. When the Secretary of Labor comes to deal with some of the major labor leaders of the country, he will deal with remarkably able persons, great industrial statesmen within the field of labor, but he will also have to be able to adjust their differences and get them to see the point of view of the administration in regard to some of the complex problems which will confront it in the field of labor legislation.

He will have to advise with, and make adjustments in regard to the points of view of, great labor leaders, such as George Meany, Al Hayes, George Harrison, Joe Keenan, Neill Hagerty, David Dubinsky, Jacob Potofsky, Walter Reuther, James Suffridge, Joe Bierre, Jack Lyons, Jim Carey, Maurice Hutchinson, Gordon Freeman, Pete Schoenman, Al Hartung, and many other great labor leaders in our country whom I could name. I believe it is interesting, and is to his everlasting credit, that these labor leaders and a number whom I have not mentioned have made to the public many, many statements in which they have expressed confidence in the ability of Arthur Goldberg and have expressed their support of his appointment.

My last point—and I shall make it briefly—is that we should not forget that in carrying out his responsibilities to the public at large, Arthur Goldberg must also keep in mind the legitimate interests of industry. So often there is made the false assumption that the Secretary of Labor is not going to give due weight and consideration to the legitimate rights and interests of industry. Senators should read the transcript of the record they have on their desks with regard to the statements this nominee made when he appeared before the Senate Committee on Labor and Public Welfare. In my judgment, industry has a right to take great confidence in this appointment, because, in my opinion, Arthur Goldberg can certainly be counted upon to advance the legitimate best interests of labor and also to see to it that the legitimate rights of industry—upon which the welfare of labor is, in the last analysis, very dependent—are not destroyed by any insistence on the part of some shortsighted persons from time to time that there be taken a course of action which would do irreparable injury to industry, which, after all, provides the wage checks on which the living standards of the American workers are, in the last analysis, so greatly dependent.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Arthur Goldberg to be Secretary of Labor?

Mr. JAVITS. Mr. President, I wish to be heard on this question.

Let me say that I have known Mr. Goldberg for 25 years. This nominee testified at a hearing held by the Committee on Labor and Public Welfare, of which I am a member. For many years Mr. Goldberg has been identified as a lawyer for very important labor interests in the country. I believe the Senate is entitled to have the benefit of the personal knowledge of any Member, such as myself.

Mr. President, based upon my knowledge of Mr. Goldberg and his great distinction as a lawyer and the fact that he has a lawyer's mind and is able to apply to the problems which confront him his profound knowledge of the law, entirely aside from his emotions or sympathies in connection with such matters, when he feels there is a difference of impact as between the two, I believe he will make an excellent Secretary of Labor.

Furthermore, in the days which lie ahead we shall have to appeal very strongly to the morale of American labor. We are now engaged in a great struggle which is tantamount to war; and the morale of American labor is most important, especially as regards efficiency and willingness to undertake the making of adjustments to new ideas and developments, such as those in connection with automation, and the attitude of labor toward strikes similar to the present one in New York, which are so seriously crippling, and when at the same time we wish to maintain for all our people the right to strike. These are very great and challenging problems.

I believe Arthur Goldberg has a great understanding of their significance in the social scheme; and for that reason and also the reason that he is—as he has every right to be—trusted by labor, I am confident that he will turn out to be extremely objective in terms of dealing in a statesmanlike manner with such problems, which affect very deeply both labor and management; and I am sure that his attitude toward them will be so fair that, as a result, both labor and management will be most willing to listen to him, inasmuch as he understands their problems. Certainly he will be much more useful in that service than one who understands only the problems of labor.

Mr. President, what I wish to affirm to the Senate is that I think he has the kind of dispassionate mind and the kind of deep feeling for the public interest, and that he is so organized in his own thinking, his own soul, and his own conscience, in the light of his understanding of that responsibility, that will result in his making a splendid Secretary of Labor.

I am glad to join in the confirmation of his nomination.

The PRESIDING OFFICER (Mr. HOLLAND in the chair). The question is, Will the Senate advise and consent to the nomination of Arthur J. Goldberg to be Secretary of Labor?

The nomination was confirmed.



Mr. HILL. Mr. President, I ask that the President be notified forthwith of the confirmation of the nomination of Arthur J. Goldberg.

The PRESIDING OFFICER. Without objection, the President will be so notified.

**NOMINATION OF ABRAHAM RIBICOFF TO BE SECRETARY OF HEALTH, EDUCATION, AND WELFARE**

The PRESIDING OFFICER. The clerk will state the next nomination.

The legislative clerk read the nomination of Abraham Ribicoff to be Secretary of Health, Education, and Welfare.

Mr. BYRD of Virginia. Mr. President, Abraham Ribicoff is eminently qualified, in my opinion, and in the opinion of the Finance Committee, to be Secretary of Health, Education, and Welfare.

He is qualified not only by experience, but by his own innate ability. He served 4 years in the House of Representatives and was elected twice as Governor of Connecticut. He made a very fine impression on the Senate Finance Committee, and he received a unanimous vote. I hope he will receive the unanimous vote of the Senate.

Mr. DODD. Mr. President, will the Senator yield?

Mr. BYRD of Virginia. I yield to the Senator from Connecticut [Mr. Dodd].

Mr. DODD. I thank the Senator for yielding to me so I may make brief remarks on the nomination that is before the Senate, that of Governor Ribicoff, of the State of Connecticut, to be Secretary of Health, Education, and Welfare.

I believe the confirmation of the nomination of Abraham Ribicoff as Secretary of Health, Education, and Welfare will bring to that post one of the most able and experienced men in American public life.

He comes to this office with a most unusual background. He served, in fact, as one of our most respected judges. He served in our State legislature. He served in the other body of this Congress, in the House of Representatives, and there are many Members of the Senate who served in the other body with him and remember him particularly for his dedication to his work. He also served as Governor of Connecticut.

I think I heard our majority leader say of him, in the Committee on Foreign Affairs in the other body of Congress, that when there was a really tough problem before the members of that committee, it was expected that the chairman of the committee would refer the matter to Governor Ribicoff. So I say again that we will have in Governor Ribicoff as Secretary of this great Department a most extraordinary and unusual man.

Mr. President, it has most often been said of him that he is one man in public life who does his homework. While this is a simple way of paying tribute, perhaps there is no better way to pay tribute to one who is in public life. He does his homework. He knows his subject when he talks, and he is a careful and capable man whenever he talks.

He brought great qualities to the Governor's mansion in Hartford and added to them a remarkable executive ability. As chief executive of Connecticut, he gave the people progressive but prudent

government. He brought about needed reforms that had been resisted for decades. He put through dramatic increases in State aid to education and welfare programs, while insisting on fiscal soundness and proper regard for the rights of taxpayers.

He earned the trust of the people to an unprecedented degree and he worked amicably and effectively with both Republican and Democratic legislatures.

Abraham Ribicoff was reelected to a second term by the largest margin in our history, earning the greatest personal tribute ever paid to a Connecticut political figure.

His astuteness and keen judgment had by this time become nationally known. He was the first outstanding political figure to come out for John F. Kennedy for President, and the support, counsel, and active leadership which he gave to the Kennedy cause were instrumental in its success.

Perhaps if I were to select his greatest accomplishment during his nearly 6 years in office, I would have to say that the reform of our judicial system, which he achieved, will go down in history, certainly in the history of the State of Connecticut, as one of the really great and necessary changes that was made in our judicial establishment in Connecticut.

So this day is a happy and proud one for him. I rejoice not only because a deserved and great honor has come to a good friend and a good man, but also because his appointment holds such promise for the success of the new administration, of our country, and of the many humanitarian programs for which so many of us have been striving for so long.

Mr. President, I do not wish to burden the RECORD, but, if the Senator from Virginia will indulge me one moment longer, I should like to ask unanimous consent that five or six editorials I have selected from a great number of editorials on the nomination be included in the RECORD at this point.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the New York News, Dec. 3, 1960]

**GOOD CHOICE, SENATOR**

We can't find any fault with President-elect Kennedy's choice of Gov. Abraham Ribicoff, of Connecticut, for Secretary of Health, Education, and Welfare.

If confirmed by the Senate, Mr. Ribicoff will head a huge Federal agency which can be either an instrument for valuable public service or a happy hunting ground for dogooders and bleeding hearts.

As Governor of Connecticut, Ribicoff has insisted on economy and efficiency in the State's government, though he has not been a martinet or a pennypincher.

If he follows the same middle-road course in his Washington job, he should be a notable success. We hope Senator Kennedy's other Cabinet choices will look as good as this one.

As for David E. Bell, Kennedy's selection for Budget Director, he is a professor at Harvard, was in the Marine Corps in World War II, is an old Truman man, and is said to admire balanced budgets in defiance of such Harvard spend-and-spenders as John K. Galbraith. We wish Bell well in what is at best a tough and thankless Government job.

[From the Oakland (Calif.) Tribune, Dec. 3, 1960]

**RIBICOFF FINE CHOICE**

President-elect Kennedy has made a commendable Cabinet selection in his appointment of Gov. Abraham Ribicoff as Secretary of Health, Education, and Welfare.

The new Secretary, whose term as Governor of Connecticut still has 2 years to run, has amply demonstrated his ability and popularity in the administration he has given his State during his two terms as chief executive.

Governor Ribicoff, who had been prominently mentioned for the post of Attorney General or a U.S. Supreme Court seat, is well prepared for his new Cabinet assignment by virtue of the programs in the field of health, education, and welfare he initiated as Governor.

The 50-year-old Governor has been honored nationally for introducing many new concepts in the treatment of the mentally ill in Connecticut, particularly in the field of mentally retarded children.

His administration was also responsible for greatly aiding education by providing State funds for primary schools in areas where local taxes failed to meet the need.

While launching new programs in these fields in his home State, the Governor has also demonstrated his fiscal responsibility and is not one of the narrow idealists who would advocate driving a six-mule team through the Federal Treasury.

We extend our heartiest congratulations to Governor Ribicoff on his new appointment.

[From the Stamford Advocate, Dec. 2, 1960]

**FIRST IN THE CABINET**

Gov. Abraham A. Ribicoff is the first Cabinet appointee of President-elect Kennedy. Our Governor is to be the new head of the Department of Health, Education, and Welfare. The appointment is well deserved and it is appropriate that Governor Ribicoff should be the first major appointee of Mr. Kennedy.

Governor Ribicoff and John Bailey were not among the first Kennedy supporters, they were the very first. For 4 years this powerful political machine has devoted its effort to the Kennedy cause. Few will forget the able floor leadership of Mr. Ribicoff during those critical days at Los Angeles when the Stevenson forces made their spectacular play contrary to all tradition. Governor Ribicoff held the reins so tightly that the Stevenson balloon never got off the floor.

Then this past year he campaigned with devoted diligence. While Bailey made the home fortress secure, Governor Ribicoff went time and again to critical areas to gain support for Senator Kennedy. Our State was one in which there will be no recount. It went overwhelmingly for Kennedy. It was the first State in the sure column. It is only right that Governor Ribicoff should be first in the new Cabinet.

His appointment will be greeted favorably throughout the Nation. His qualifications for a Cabinet post are unquestioned. He will bring to Washington not only executive ability but a knowledge of congressional methods gained at firsthand.

Only the need that Connecticut has for his leadership in a period of financial crisis tempers our pleasure over the appointment. But we can hope that the new Secretary of HEW will redraft some of the more advanced Federal educational programs proposed so that his native State will not be drained 3 to 1 of needed educational dollars. In fact, the new Secretary might even point out to Federal education proponents that Connecticut solved its own educational problems at the local and State level. This might be a good example for other States to follow.

The appointment of Governor Ribicoff suggests that Senator Kennedy is going to be faithful to his political supporters but not at the expense of good government. The way he cleared the road for our Governor by shifting Walter Reuther's Mennen Williams to Assistant Secretary of State for African Affairs was as skillful a piece of political maneuvering as has been seen since the Roosevelt years.

Mr. Kennedy has made a good start.

[From the New York Times, Dec. 2, 1960]

#### TWO GOOD APPOINTMENTS

President-elect Kennedy's announced selection of Gov. Abraham A. Ribicoff, of Connecticut, as his Secretary of Health, Education, and Welfare will be greeted with general approval. It was no surprise to learn that Mr. Ribicoff was entering the Cabinet; the only question was which post he would be given. Mr. Kennedy's choice is a sound one.

It is entirely within the American tradition that members of the President's Cabinet include some of his close political associates; and if any man deserves the title of pioneer in the Kennedy-for-President movement, Governor Ribicoff is the man. He was not only for Kennedy before Los Angeles, before Wisconsin, before January; he and his astute mentor, State Chairman John M. Bailey, have been for Kennedy from the beginning.

But Mr. Ribicoff is a great deal more than a politician who picked the right man early; he is a very successful Governor of an important State, and he can be counted on to administer HEW with competence and with heart. A diplomatic and knowledgeable ex-Congressman, he has both the ability and the temperament to help guide the health, education, and welfare programs of the Kennedy administration into legislative action.

The unusual step Senator Kennedy took in announcing the appointment of an Assistant Secretary of State before he had picked the Secretary or Under Secretary may be partially explained by the fact that the man he chose, Gov. G. Mennen Williams, of Michigan, had been prominently mentioned for the HEW post. By giving extraordinary emphasis to Mr. Williams' selection as Assistant Secretary for African Affairs, Mr. Kennedy was obviously trying to do two laudable things: stress the importance of Africa to the United States and make Mr. Williams feel better about not being a member of the Cabinet.

Despite his lack of technical background, we think Mr. Williams' sympathetic approach and inexhaustible energy make him a good choice to spearhead an active and positive American policy toward the new African states. He has a unique opportunity ahead of him, as this will be an area of increasingly vital importance in foreign affairs in the coming years.

[From the Hartford Times, Dec. 2, 1960]

#### SECRETARY RIBICOFF

The appointment of Governor Ribicoff as Secretary of Health, Education, and Welfare in the Cabinet of President-elect Kennedy was one of the worst-kept secrets of the year. For several days everybody but Governor Ribicoff and Senator Kennedy seemed to be sure of it.

There was never any doubt that the Governor would have an opportunity to serve in a high post in the Kennedy administration, but it took some time and several conferences to pick the job that suited both men.

As long ago as his two terms as judge of the Hartford police court, Governor Ribicoff exemplified to a high degree the quality of humane and sympathetic interest in the underprivileged that should be found in a Welfare Secretary. His long experience as Governor of Connecticut will be an asset to

him when he is confronted with the many administrative problems of a Federal Department head. And though he is a practical politician of great skill, he has a proved reputation for independence even at the risk of unpopularity; he will be no figurehead. His record in Congress, where he intelligently supported measures to support reciprocal foreign trade at some cost to Connecticut manufacturing interests, was a display of this independent spirit.

He has been a good Governor of Connecticut. We wish him success in his new national post and trust that his successor here, Lieutenant-Governor Dempsey, will carry on effectively.

[From the Kansas City (Mo.) Star, Dec. 3, 1960]

#### A GOVERNOR—GOOD START ON THE CABINET

As Governor of Connecticut, Abraham Ribicoff has earned a reputation as a man with keen sense of the political value of compromise and cooperation. He has proved himself an excellent administrator and, to the consternation of the State GOP, won votes from Republicans who normally wouldn't think of voting for a Democrat. As President-elect Kennedy's choice for Secretary of Health, Education, and Welfare, it seems to us that Ribicoff has the qualifications of a topflight Cabinet officer.

Certainly his beliefs on social legislation are similar to those of Mr. Kennedy. Otherwise, he wouldn't have gotten the job. But if the next President is as strong a Chief Executive as most people expect, he will be setting the broad policy course of the administration anyway. The limitations will be imposed only by Congress. For the Kennedy purposes, Ribicoff is a good man to deal with the legislators. He has had experience in the House, where he first met John F. Kennedy.

Indeed, there is a little vignette from Ribicoff's Capitol Hill career that tells much of the man. Another legislator told the freshman Representative that the way to stay in the House was to vote for every appropriation bill and against every tax bill.

"I told him that may be good politics but that it is bad government," Ribicoff recalls.

In Hartford, Governor Ribicoff followed the middle of the road in order to get things done in politics and government. His national reputation stemmed initially from a successful crackdown on highway speeders. Ribicoff's own supporters thought it was political suicide. It wasn't.

Ribicoff will take to the Cabinet his acknowledged abilities as an administrator and, insofar as we know, an independence of any particular pressure group. His appointment, in fact, may be regarded hopefully as an indication that John Kennedy will show an independence of mind on his own part. Kennedy obviously wanted his longtime supporter in the Cabinet and he put him there, although others sought the job. It strikes us as a sound as well as a politically logic choice.

[From the Seattle (Wash.) Post-Intelligencer, Dec. 2, 1960]

#### GOOD APPOINTMENT

President-elect Kennedy's first Cabinet appointment is a splendid one. It would be difficult to think of a better choice—by personality, experience, and interest—for Secretary of Health, Education, and Welfare than Gov. Abraham Ribicoff of Connecticut.

The three related fields Mr. Ribicoff will administer have been among the areas of his concern for years. His reelection in 1958 by the largest gubernatorial plurality in Connecticut's history gave the Democrats control of the lower house as well as the senate for the first time in 82 years and enabled the Governor to put through consolidation and efficiency programs he favored.

Among them was establishing an office of mental retardation, coordinating various agency activities for care of retarded children. The Governor also stimulated progress in mental health—one of the tremendous problems of our times—and moved his State toward the fairly new concept of small community mental health hospitals. In education Governor Ribicoff prompted the legislature to increase grants to towns and cities where local property taxes were insufficient to carry the burden.

His tenement boyhood as a newsboy, errand boy, caddy, and laborer gave Mr. Ribicoff hard, first-hand appreciation of the value of education and the problems and aspirations of the poor.

His public career displayed both his bent toward moderation and his political courage.

With this background it may be expected that Mr. Ribicoff will conduct his new job neither with misinformed sentimentality nor aloof unawareness but with reason and understanding. He has our congratulations and good wishes.

[From the Washington Post, Dec. 2, 1960]

#### RIBICOFF FOR HEW

There will be widespread commendation of Mr. Kennedy's selection of Gov. Abraham Ribicoff as the new Secretary of Health, Education, and Welfare. Mr. Ribicoff has been by general acknowledgment an extremely able and effective chief executive in Connecticut. He has been a liberal, understanding, and decisive leader, and at the same time flexible and careful with a dollar. He has a longtime interest in social welfare matters dating from his service in the House of Representatives with Mr. Kennedy.

From time to time it had been reported that Mr. Ribicoff was a likely choice as Attorney General. His assignment to HEW will make use of his experience in a post for which he is no less qualified, and might permit his consideration for the Supreme Court seat, to which he is said to aspire, with fewer complications if a vacancy should arise.

Mr. Kennedy is known to look upon legislation in the health and education field as some of the most important parts of his domestic program. The selection of Mr. Ribicoff as the first member of the Cabinet thus takes on more than ordinary significance. Not the least of Mr. Ribicoff's assets is a formidable political sagacity demonstrated, among other things, by the strong vote he helped register in Connecticut for the Democratic ticket. This quality, along with his administrative competence, will be highly useful in relations with Congress as well as within the executive branch.

[From the San Francisco Examiner, Dec. 2, 1960]

#### GOVERNOR RIBICOFF IS SPLENDID CHOICE

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With this background it may be expected that Mr. Ribicoff will conduct his new job neither with misinformed sentimentality nor aloof unawareness but with reason and understanding. He has our congratulations and good wishes.

**Mr. KERR.** Mr. President, will the Senator yield?

**Mr. BYRD** of Virginia. I yield to the distinguished Senator from Oklahoma, a ranking member of the Committee on Finance.

**Mr. KERR.** Mr. President, as a member of the Finance Committee, I wish to concur in the remarks that have been made by the distinguished Senator from Virginia in construction with the nomination of Governor Ribicoff.

**Mr. BUSH** previously said: Mr. President, owing to a pressing engagement, I shall not be present in the Chamber when the nomination of Governor Ribicoff, of Connecticut, is considered as Secretary of Health, Education, and Welfare. I therefore ask unanimous consent that the statement which I made before the Committee on Finance be placed in an appropriate place in the RECORD on the confirmation of the nomination of Governor Ribicoff. The statement appears on pages 68 and 69 of the hearings before the Finance Committee.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Senator **BUSH.** Mr. Chairman, I welcome the opportunity to join my able friend and colleague, Senator **Dobb**, in presenting Governor Ribicoff to this committee.

The Governor has just concluded 22 years of almost continuous service to the people of the State of Connecticut, and has become recognized not only in our State but in the Nation as one of the ablest men in public life today.

I have had the pleasure, the privilege of knowing him as a friend and as a fellow servant of our people, and I say with great satisfaction that we have worked together closely and in friendship for the benefit of our people in connection with issues affecting their welfare, and so I can consider it an honor to my State and, obviously, a great honor to the Governor, that he has been selected by President Kennedy to assume this very high post in his Cabinet.

I believe that, as Senator **Dobb** says, his background qualifies him well, with his experience as legislator, judge, Member of House of Representatives and, finally, the Governor of our State.

I said yesterday at a luncheon that Senator **Dobb** gave for him that I was impressed with what the New York Times said editorially at the time his nomination was announced by Senator Kennedy.

The Times says that not only would the Governor bring to his post a wide background of experience which qualified him, but also he would bring heart. This is a department of our Government where, obviously, the chief executive of that Department must have a sensitivity to the needs of our people, and the Governor has well demonstrated

that he does have that, and I thought the comment by the New York Times editor was particularly appropriate concerning Governor Ribicoff.

**The PRESIDING OFFICER.** The question is, Will the Senate advise and consent to the nomination of Abraham Ribicoff to be Secretary of Health, Education, and Welfare?

The nomination was confirmed.

**Mr. BYRD** of Virginia. Mr. President, I ask that the President be immediately informed of the confirmation.

**The PRESIDING OFFICER.** Without objection, the President will be so notified.

NOMINATION OF ADLAI E. STEVENSON TO BE U.S. AMBASSADOR TO THE UNITED NATIONS

**The PRESIDING OFFICER.** The clerk will state the next nomination.

The legislative clerk read the nomination of Adlai E. Stevenson, of Illinois, to be the representative of the United States of America to the United Nations with the rank and status of Ambassador Extraordinary and Plenipotentiary, and the representative of the United States of America in the Security Council of the United Nations.

**Mr. FULBRIGHT.** Mr. President, last Wednesday, January 18, the Committee on Foreign Relations examined in public session the qualifications of the Honorable Adlai E. Stevenson to be U.S. representative to the United Nations. For nearly 3 hours members questioned Mr. Stevenson and explored with him his views with respect to the conduct of the foreign policy of the United States.

At the end of that hearing the committee voted unanimously to recommend the confirmation of his nomination to the Senate.

Mr. Stevenson is one of our most distinguished citizens and students of foreign policy. He assisted in the drafting of the United Nations Charter and was a principal representative of the United States when the first General Assembly convened in London. His support of that organization is well known, and I know the United States is fortunate in having him represent us there. I believe his great capacity to communicate with people throughout the world will be a tremendous asset to this Nation. I hope the Senate will unanimously approve his nomination.

**Mr. SPARKMAN.** Mr. President, I shall be very brief in my remarks, because I think every Senator knows Governor Stevenson and knows something about him. He appeared before the Committee on Foreign Relations, and his nomination was favorably reported by the committee. He made a great impression upon the committee. He justified the opinion which is held of him by many people, that he is one of the outstanding statesmen of the world today.

Mr. President, Governor Stevenson did not promise us that we were going to have an easy road in the United Nations with reference to world conditions. The President yesterday in his inaugural address pointed out that the rough days which may be ahead are going to challenge all of our energies and all of our efforts, and Governor Stevenson pointed out to the members of the Committee

on Foreign Relations that we face many problems in regard to the nations of the world.

The family of nations of the world has increased greatly over the past few years. I served as a delegate to the Fifth General Assembly of the United Nations in 1950. During the time I served the United Nations took in the 60th nation. Today there are 99 nations. Governor Stevenson pointed out that since he first served in the United Nations as a delegate the number of nations has doubled.

I should like to interject one thought which came out in the course of the hearings. We are trying to carry on with practically the same size organization we had when there were 50 nations in the United Nations. Governor Stevenson made a fine suggestion, even before he accepted the appointment: that we need to replenish, and perhaps to reorganize, our mission to the United Nations.

Governor Stevenson made a very fine impression upon the Committee on Foreign Relations, and the committee has recommended the confirmation of his nomination by the Senate. I am certainly glad to join in that request from the Committee on Foreign Relations.

**Mr. DOUGLAS.** Mr. President, will the Senator yield?

**Mr. SPARKMAN.** I yield to the Senator from Illinois.

**Mr. DOUGLAS.** Mr. President, no words of mine are needed to eulogize the qualities and character of Adlai Stevenson. Mr. Stevenson is not only the most illustrious citizen of Illinois but he is also one of the first citizens of this Nation and, indeed, of the entire world.

As we all know, Mr. Stevenson has twice been the presidential candidate of the Democratic Party, and in those campaigns he conducted himself not only with great intelligence but also with great character. Before he was nominated for the Presidency, he was one of the best Governors the State of Illinois has ever had.

He is now, in a sense, returning to the field of his first interest, for Mr. Stevenson was a member of the American delegation to the London Conference, which first really organized the United Nations after the initial San Francisco Conference.

Since 1952 Mr. Stevenson has made numerous, long and thorough visits to virtually every portion of the world. He has made many trips to Western Europe and thorough trips in Asia, in Africa, and in South America. He is certainly one of the best informed Americans on foreign affairs. Indeed, I do not think it is straining the truth to say that he is probably the best informed American on these areas. He is not only informed about the immediate issues which confront the world but also about the deeper, underlying forces which help to create these issues. He knows these also on the basis of close personal acquaintance with all the leading men and women of most of the nations of the world.

Adlai Stevenson is not only one of our most moving orators but also a master of

graceful and distinguished literary style. In fact, I am inclined to believe I would have said, until the inaugural address of yesterday, that he is the best political stylist we have had in this Nation for many years. He is also a clear and humane thinker, and is gifted in his relationships with the public, with his associates and with representatives of other nations.

He is a devoted and patriotic American who will represent the United States at the United Nations with complete fidelity and with rare grace, ability, and distinction.

President Kennedy has, in my judgment, selected a group of Cabinet members whose general average is extremely high.

In my judgment Mr. Stevenson is pre-eminent even amongst this select group. We are proud of his selection.

Mr. McGEE. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield to the Senator from Wyoming.

Mr. McGEE. I should like to add my voice in commendation of the appointment of Mr. Stevenson as our Ambassador to the United Nations and to add a personal note. I was privileged to be in Africa a few weeks ago on a fact-finding mission for the Appropriations Committee. Our visit coincided with the announcement of Mr. Stevenson's appointment. Everywhere we traveled the appointment was greeted with great applause and exaltation. People felt that in the personality of Mr. Stevenson there was epitomized the crux of the things that America represented in the hearts and hopes of the uncommitted peoples of the world. The notion was prevalent among some people that the United Nations was a sort of private American club, that it was some kind of anti-something-or-other organization, and some had lost sight of the fact that the organization was really what it was intended to be—an organization of nations united in the interest of achieving peace in the world. No single event, short of the election of Mr. Kennedy himself, could have better symbolized in the hearts of those people a resurgence of hope for the interests of people, rather than the interests of combat and force, than the nomination and the acceptance of that nomination, and approval now by this body of the nomination of Mr. Adlai Stevenson. I think such sentiment augurs well for our hopes and our chances to help the people of Africa and other parts of the world to help themselves, both through the United Nations and our own endeavors.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield to the Senator from Colorado.

Mr. CARROLL. I desire to associate myself with the remarks of the distinguished Senator from Alabama [Mr. SPARKMAN], the distinguished Senator from Illinois [Mr. DOUGLAS] and the distinguished Senator from Wyoming [Mr. McGEE]. I have known Adlai Stevenson for many years, though perhaps not as long as has the able Senator from Illinois. I have read the record of his testi-

mony before the Foreign Relations Committee, and was impressed, as I have always been, with the truth, candor, and keen intellect with which Adlai Stevenson addresses himself to difficult questions. I think his candor was demonstrated the other day in his warning about where we are going and what we face.

As the able Senator from Alabama [Mr. SPARKMAN] has said, great changes have come about in the structure of the United Nations since its formation. Our position in the world is changing, as seen in our voting position in the United Nations. Adlai Stevenson, with his truthfulness and his candor, has described the problems that lie ahead, some of which we must face soon. I commend President Kennedy for being able to enlist the services of this great American, and especially do I commend Adlai Stevenson for taking on this difficult task in a perilous time of American history. As the able Senator from Illinois [Mr. DOUGLAS] said, Adlai Stevenson is a great American and patriot who has the esteem, the love, and the affection of people throughout the world.

Mr. MORSE. Mr. President, I wish to join other Senators in their commendation and praise of the appointment of former Governor Adlai Stevenson as our Ambassador to the United Nations. I believe it is well known that for some years I have been a supporter of Adlai Stevenson in various political activities. A great many Americans had hoped, and even expected, that he might be the new Secretary of State. The President, for reasons sufficient unto himself, decided on another appointment, and he appointed a great Secretary of State, as I said earlier this afternoon. He has appointed a great team, with Dean Rusk as Secretary of State and Adlai Stevenson as the head of our delegation at the United Nations.

I have recently finished 3 months service as a delegate from the United States to the United Nations. I wish to express confirmation of the point made by the Senator from Wyoming [Mr. McGEE] that when the nomination was made, it was a day of great rejoicing throughout the United Nations, so far as non-Communist nations are concerned. They recognize that Adlai Stevenson is one of the great statesmen of our generation and, working shoulder to shoulder with Dean Rusk, as I know that team will work, I prophesy here today a considerable change in the year ahead in regard to the standing of the United States in the United Nations.

In making these commendations of Adlai Stevenson, I should say a word of commendation of the head of our delegation who served us so well in the General Assembly this last fall, namely, Ambassador James Wadsworth. When we consider the instructions under which the representatives of our country had to work, instructions in some instances contra to the judgment of the unanimous delegation and in many instances of an overwhelming majority of the delegation, Ambassador Wadsworth is deserving of great praise for the splendid public service which he performed as the head of our delegation at the United Nations.

Our difficulty was that frequently we received instructions from within the State Department and, as I said on one occasion in order to describe my feelings in the matter, I felt sometimes that they were instructions that had come from offices that were apparently located about six floors below ground surface at the State Department.

What we need is a much closer relationship between the Ambassador at the United Nations, the Secretary of State, and the President of the United States. I am satisfied that if we had had such a close relationship, we would not have lost as much standing as we lost in the United Nations this last fall on such issues, for example, as Southwest Africa and the colonial issues about which I shall report to the Senate, I hope, next week.

With Adlai Stevenson as the head of our delegation and with Dean Rusk as our Secretary of State, I expect to see a dramatic improvement in the relationships between the United States and the other nations in the free parts of the world at the next session of the United Nations.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. HUMPHREY. In the interest of expediting the confirmation of the nomination, and yet associating myself with the remarks that have been made, let me say that the expressions made by the Senator from Alabama [Mr. SPARKMAN], the Senator from Illinois [Mr. DOUGLAS], the Senator from Wyoming [Mr. McGEE], the Senator from Colorado [Mr. CARROLL] and the Senator from Oregon [Mr. MORSE] surely express my feelings about the nomination and about Adlai Stevenson as a man, as a great citizen, and as a patriot. He brings to this high office a reservoir of good will for the United States which is desperately needed at this hour. He brings with him the capability of careful negotiation and of diplomatic presence, which I believe is required.

By this one nomination the President of the United States has emphasized the importance of the United Nations as an instrument of international understanding and cooperation. By the selection of one of our leading citizens as the Ambassador to represent the United States at the United Nations President Kennedy has said to the world that we, the people of the United States, and the Government of the people, look upon the United Nations as the hope of peace, of progress, and of freedom. Adlai Stevenson will be able as much as many, to fulfill that hope, and probably more.

I concur in what the Senator from Oregon has said about the importance of close cooperation between the Ambassador at the U.N., the Secretary of State, and the President, as well as the importance of having the world understand that we in the United States look upon the United Nations as a viable, vigorous instrument for the conduct of an effective foreign policy by not only our allies, but all the people throughout the world.

Mr. SPARKMAN. Mr. President, I commend to the Members of the Senate



a reading of the very brief hearings held in the case of Governor Stevenson, and particularly the very fine, clear, and forceful statement he made at the beginning of the hearings, given at pages 1 to 6 of the printed hearings.

The PRESIDING OFFICER (Mr. HOLLAND in the chair). The question is, Will the Senate advise and consent to the nomination of Adlai Stevenson to be the representative of the United States of America to the United Nations, with the rank and status of Ambassador Extraordinary and Plenipotentiary, and the representative of the United States of America to the Security Council of the United Nations?

Mr. HICKENLOOPER. Mr. President, I do not rise to oppose the nomination. I merely rise to express the feeling that the appointment is not the joyous appointment, in the best interest of our country and its fundamentals, that may have been outlined by a number of Senators thus far.

I am aware of the fact that Governor Stevenson in many ways is a brilliant man. I am aware that he has a rapidly acting mind. I am aware that he can turn a phrase with great sharpness. I am aware that he is astute in making his presentations. I am aware that he has great acquaintance around the country.

I do not intend to oppose the nomination, because I yield greatly to the President of the United States, whether he is in my party or in another party, in his right to select those members of his official family, such as Ambassadors and Cabinet members and sub-Cabinet members, who will advise and assist him in the Government. After all is said and done, the Democrat Party was elected to the administrative leadership and executive leadership of this country. President Kennedy was elected President, and he has the responsibility of operating his office, and the responsibility for the wisdom of his selections of Cabinet members and administrators is upon him.

I do not have a reason which is generally accepted among the reasons for voting against the confirmation of the nomination of a Cabinet member or an Ambassador.

I believe Mr. Stevenson is a man of integrity. I believe he is a man of character. I disagree with many of the positions he has taken in the past. I do not understand many other positions he has taken in the past. I have a sense of uncertainty. I have the feeling that his attitudes are somewhat mercurial in connection with actually putting a finger on something and getting it actually confined and understandable in a certain area.

I hope he does not support a policy of erosion toward the fundamentals of American philosophy which we have undertaken to defend so strenuously in this country for these many years, merely under the guise that new frontiers demand new and revolutionary sacrifices of our whole house of freedom and association in this country.

I do not say that he does. However, let me say that he has been confusing. I disagree with my friends who have referred to his statement before the Com-

mittee on Foreign Relations as a clear and concise statement. I do not believe his statement was very clear or very concise. I was disappointed that he was not firmer in his statement on attitude and policy. I refer, for instance, to the fact that he has many times discussed Quemoy and Matsu. However, when these questions were asked of him at the hearing only the other day, he asked to be excused from discussing these points because, he said, he would become a public citizen rather than a private citizen. I see no reason why his views would not be the same the day before yesterday or the day before that, when he was at the hearing, than they were a month or 2 ago or 3 months ago, or even a year ago. I could see no reason for his not being perfectly willing to discuss his basic views on these subjects.

I feel he has failed to march up clearly and definitively and take a real, understandable position on other issues.

It is not easy for me to take a position of this kind, because I have respect for Mr. Stevenson. I have hope, of course, as we all do, that the formula for peace can be found, and found soon. I am not deluding myself into believing that it will be found in the immediate future. I certainly hope—and I will do anything I can to aid the cause—that it will be found soon.

I have faith that the strength of President Kennedy and the strength of Dean Rusk, his Secretary of State, will prevent any cleavages between the President of the United States and the Secretary of State, on the one hand, and this vast, rather uncertain organization called the United Nations, on the other hand. I hope there will be no tendency on the part of the President's representative at the United Nations to undertake what we sometimes in the field of law call frolics of his own, and make individual determinations which are not necessarily compatible with the policies of the President or the Secretary of State; in other words, that the policies carried out in the United Nations will be indeed the policies which are directed from the executive authority of this country.

I am not opposing any of the nominations that are before us. I wish to make it clear that there are some nominations before the Senate which have been sent here by the President that, certainly, if I had the authority to make them, I would not have made. There are some in which I am perfectly happy to acquiesce with perfect enthusiasm. However, in voting for these nominations I do not vote for them on the theory that I am enthusiastically approving every last one of them; I am approving the President's right and latitude in selecting the members of his own official family, for which he has the responsibility.

I find no basic reason in connection with any of the nominations before us which would justify me in my mind opposing the nominations. Insofar as the nomination of Governor Stevenson is concerned, I again wish to make clear that I do not stand in opposition. I stand on the floor of the Senate saying that if the President wants him as his Ambassador to the United Nations, then

the responsibility lies there, and I shall not attempt to stand in the way.

I may say that I think one of the sad days in the Senate, and one of the most indefensible actions on the part of the Senate, was a year ago when one of the ablest public servants in modern times was turned down by the Senate. I refer to the tragic rejection of Lewis Strauss, who was nominated as Secretary of Commerce.

I think the events since then, including a recent decision by the Supreme Court itself, have clearly shown that a major argument which was used against Lewis Strauss at that time had no substance whatsoever and fell completely flat when all the facts were finally exposed. But the damage was done. The tragedy was committed.

I presume I have much more reason for voting against many of these nominations than I believe could possibly have existed in the case of Lewis Strauss. However, I believe the President should have the leeway to select his official family; and in the absence of certain conditions which do not exist in the instant case, I do not believe we are justified in voting in opposition to the nominations.

Mr. MANSFIELD. Mr. President, I think an answer should be made to the statement just made by the distinguished Senator from Iowa [Mr. HICKENLOOPER] with respect to the nomination of Adlai Stevenson to be U.S. representative to the U.N.

The Senator from Iowa is one of the most fairminded, honest, candid individuals I know of; and the distinguished gentleman from Illinois who has been nominated as U.S. representative to the U.N. is one of the most able and distinguished public servants of our time.

The arguments which the gentleman from Iowa advanced on the floor this afternoon were the arguments which he stated in the committee, in public session at the time Mr. Stevenson was before the committee. The Senator from Iowa pointed out that Mr. Stevenson did not feel, because of his possible assumption of a new position, that he should discuss such things as Quemoy and Matsu, and other related items about which he had talked and written in the years since 1952.

I think it ought to be kept in mind that when a person is nominated to a position of great importance—and there is none greater than that of the U.S. representative to the United Nations—in a sense he loses a certain amount of the freedom which he would possess as a private citizen.

In accepting such a position, provided his nomination is confirmed by the Senate, he clearly understands that under the Constitution the conduct of foreign policy is in the hands of the President of the United States; that the agent of the President in the administering of foreign policy is the Secretary of State; and that so far as other officials in the diplomatic or foreign service are concerned, they are subordinate to those two individuals.

I point out that in 1953 the Committee on Foreign Relations had before it a

nomination made by President Eisenhower. In my opinion, the person so nominated was a great man, a man of ability, integrity, and courage. That man had made a speech in Louisville, Ky., in which he stated that he favored the so-called Bricker amendment. That man wrote a book entitled "War and Peace," which on page 121 contains some very pertinent statements about the recognition or admission to the U.N., I do not recall which, of Communist China. The Senate was aware of those factors when the nomination was before us. Nevertheless, we approved the nomination unanimously, and John Foster Dulles became one of the Nation's great Secretaries of State.

I point out that when the time for the consideration of the Bricker resolution came before the Senate, one of those who was opposed to the resolution was the then Secretary of State, John Foster Dulles, even though some years previously, in a speech at Louisville, Ky., he had advocated it or something on that order.

Then, too, we all know of his position on the question of recognizing Communist China and its admission to the United Nations. However, we must keep in mind that he had written a book entitled "War and Peace," which on page 121 contained certain statements which could have been open to question. But in the same sense of fairness that the Democrats showed in 1953 in approving unanimously the nomination of John Foster Dulles, I appreciate what the Senator from Iowa [Mr. HICKENLOOPER] has done and said, because in making the record clear, he is pointing out also that in the new position, based on the evidence and the testimony, what Mr. Stevenson will be doing will not be to carry out what he personally believes may well be the right thing to do, but will be, under the Constitution, to follow the orders, recommendations, and policies set forth by the President of the United States.

The PRESIDING OFFICER (Mr. HOLLAND in the chair). The question is, Will the Senate advise and consent to the nomination of Adlai E. Stevenson to be the representative of the United States of America to the United Nations?

The nomination was confirmed.

Mr. SPARKMAN. Mr. President, I ask that the President be notified forthwith of the confirmation of the nomination.

The PRESIDING OFFICER. Without objection, the President will be immediately notified of the confirmation of the nomination.

#### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting nominations was communicated to the Senate by Mr. Miller, one of his secretaries.

#### EXECUTIVE MESSAGE REFERRED

The PRESIDING OFFICER (Mr. HOLLAND in the chair) laid before the Senate a message from the President of the

United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

#### NOTICE OF NOMINATIONS TO BE CONSIDERED ON MONDAY—ORDER FOR RECESS UNTIL NOON ON MONDAY

Mr. MANSFIELD. Mr. President, I felt it would be unwise to make a statement with respect to every nominee before the Senate today. However, the fact that I made statements in behalf of only some of the nominees does not indicate that I have any doubt whatsoever about all the nominees. I think all of them, together, comprise an outstanding group. In my opinion, we are indeed fortunate to have had the selections before us and to have had them approved today.

Mr. President, I announce for the information of the Senate that other nominations have been received this afternoon. They will be considered on Monday.

I ask unanimous consent that when the Senate adjourns today, it adjourn until 12 o'clock noon on Monday next, for the purpose of considering those nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. MORSE. May we be advised as to what nominations have been received today, so that on Monday we will not become involved in any rules problem?

Mr. MANSFIELD. The nominations will be distributed, will be made a part of the Record, and will be sent to the Senators interested.

#### LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate return to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

#### EXECUTIVE ORDER CONCERNING SURPLUS FOOD

Mr. RANDOLPH. Mr. President, earlier today the President of the United States, John F. Kennedy, issued his initial Executive order directing the new Secretary of Agriculture, Orville Freeman, to deal with the matter of a better distribution of Government-owned surplus food commodities to the people of the United States who have need for such surplus foods.

Earlier today I sent the following telegram to the President:

You are to be highly commended for your prompt act of humanitarian leadership in ordering the expansion of the surplus food distribution program so as to provide more nutritive diets for the needy citizens of our

country. West Virginians especially applaud your affirmative action and are genuinely appreciative of the speed with which you begin to move to fulfill your pledges to the people of our State and the Nation.

Mr. President, the Kennedy Task Force on Area Redevelopment and Aid for Depressed Areas appointed by Mr. Kennedy soon after his election, was headed by our colleague, the discerning and very able Senator from Illinois [Mr. DOUGLAS]. I believe it is appropriate for me to say in his presence, and certainly not as a mere pleasantry, that the work and reports of that task force very definitely pointed up the need for the action the President has carried into effect through issuance of the Executive order to which I have made reference. I am pleased, too, that the Senator from Illinois had a group of outstanding and understanding West Virginians serving with him on the task force which produced a forthright and factual report for the then President-elect.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield to my colleague from Minnesota.

Mr. HUMPHREY. I am happy that the Senator from West Virginia has commented so generously on the Executive order. We in the State of Minnesota look with favor upon this prompt Executive action.

We have had considerable hardship—and I might add suffering—in the northern and northeastern sections of our State. In the last 9 years we have had less than what one might call 3 years of reasonably good economic conditions. Hundreds, thousands, of people who are hard working, industrious, skilled workers, have been without jobs. The situation has been tragic.

The Executive order will be promptly implemented, because the order was sent to the Department of Agriculture.

Mr. RANDOLPH. The Senator is correct.

Mr. HUMPHREY. I believe it is fitting and proper that the Senator from West Virginia and the Senator from Minnesota should comment upon this, because the area of distress in West Virginia is well known by the Senator from Minnesota. I assure the Senator from West Virginia that the Secretary of Agriculture will move in his typically quick, decisive, and effective manner to implement the order, because an Executive order is only as good as its implementation. Thank goodness for the spirit of cooperation which at last exists to get the job done, not only to provide more food but also, as the Senator has said, to provide a balanced diet.

I saw the food which was being supplied to our needy. It was dried beans, powdered milk, sacks of flour, powdered eggs, and occasionally a pound of lard.

The Senator from West Virginia can rest assured that the program of food distribution will include additional items which are nutritive and which will provide a balanced diet to our fine American citizens who are in need.

I compliment the President. I thank him with deep sincerity for this act of compassion, of generosity, and of justice.



I assure the Senate that the Secretary of Agriculture has been trained in the school of effective administration. He is a marine, like the great Senator from Illinois, and when the order is given it will be carried out. There will be results.

Mr. RANDOLPH. Mr. President, I respond to my friend from Minnesota by saying that we have every reason to believe there will be the necessary follow-through by the Secretary of Agriculture in compliance with the order issued by the President.

The Senator from Minnesota is knowledgeable on this subject. I know of the legislative effort he has made in this area of national concern.

I should like to further indicate that, as of the end of December, there were in West Virginia approximately 290,000 persons who were certified as being eligible for surplus commodities. We have been grappling with their difficult problem in our State, and it is one which is in existence in other States also. We must remember that if there is an erosion of the economy affecting so many of our citizenry within one area or within one State, the deteriorating effects move into other sections of the country.

I compliment the Senator from Minnesota for joining in the Senate today to commend the President of the United States for his prompt action in this important area of our national life.

#### RENTAL OF PRIVATE HOMES DURING THE INAUGURAL PERIOD

Mr. WILLIAMS of Delaware. Mr. President, my attention has been called to a situation in which certain individuals in attendance at the inaugural ceremonies are renting private homes for the week's use with the proviso that the rent paid shall go to charity.

Under this arrangement, allegedly, the payment will be made directly to a charity designated by the owner. Allegedly, it is intended that under this arrangement, it would have the net result of allowing the expense of attending the inaugural ceremonies to be charged off as a charitable contribution.

Because I felt certain that such an arrangement would not qualify these payments as charitable deductions by those renting the homes, I directed an inquiry to the Treasury Department, citing a hypothetical case and asking for a ruling. I shall incorporate both letters in the RECORD.

In its ruling the Treasury Department suggests that these payments must be counted as income to the owners of the homes, and that when the money is turned over to charity, it will then be allowed as a charitable deduction to offset the income. However, the ruling is clear that under no circumstances can the lessees of the homes claim the rental payments as charitable deductions.

Mr. President, I ask unanimous consent that my letter to the Assistant to the Secretary of the Treasury and his reply thereto be printed at this point in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

U.S. SENATE,

Washington, D.C., January 18, 1961.

Mr. JAY W. GLASMANN,

Assistant to the Secretary, Department of the Treasury, Washington, D.C.

DEAR MR. GLASMANN: My attention has been called to a situation wherein certain individuals in attendance to the inaugural ceremonies are renting private homes at rates of \$1,000 to \$1,500 for the week's use with the proviso that the money go 100 percent to charity. Allegedly the arrangements are that the payments will be made directly to a charity designated by the owner, and in this manner the expenses of attending the inaugural ceremonies would be charged off as a charitable contribution.

My question is: Can a person attending the inaugural ceremonies use such an arrangement and thereby be permitted to charge off as charitable contributions this part of his expenses while attending the inaugural ceremonies? Would not such an arrangement in effect still be a payment for services and thereby not deductible as a charitable contribution?

Yours sincerely,

JOHN J. WILLIAMS.

JANUARY 19, 1961.

Hon. JOHN J. WILLIAMS,

U.S. Senate,  
Washington, D.C.

DEAR SENATOR WILLIAMS: This is in response to your letter of January 18, 1961. You inquired whether an individual who comes to Washington to attend the inaugural ceremonies and rents a house with the proviso that the rental go 100 percent to charity may thus deduct, as a charitable contribution, this part of his expenses of attending the inaugural ceremonies.

We do not believe that in this situation the person renting the house may claim a charitable deduction. He is paying an amount for the privilege of occupying the house and the amount which he pays would be considered a payment of rental. It does not seem that the fact that the owner of the house is willing to rent his house and have the rental paid to a charity designated by him should give rise to a charitable deduction to the tenant. The rental paid would be considered income to the owner of the house who would be entitled to a charitable deduction subject to the appropriate limitations upon the amount of the contribution which may be claimed as a charitable deduction.

Sincerely yours,

JAY W. GLASMANN,

Assistant to the Secretary.

#### NATIONAL CULTURAL CENTER ACT

Mr. DIRKSEN. Mr. President, I have a letter over the signature of the President of the United States with respect to the National Cultural Center Act, which was signed in 1958. The matter is of some importance in proceeding with the plans and design, because it is necessary to acquire some small parcels of land.

I ask unanimous consent that the President's letter and the text of the bill that I introduced be printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the RECORD.

The bill (S. 516) to amend the National Cultural Center Act, as amended,

to enlarge the site within which the National Cultural Center may be built, introduced by Mr. DIRKSEN, was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the National Cultural Center Act (72 Stat. 1698), as amended, is amended by striking out section 3 and inserting in lieu thereof the following:

"SEC. 3. The Board shall construct for the Smithsonian Institution, with funds raised by voluntary contributions, a building to be designated as the National Cultural Center on a site in the District of Columbia bounded by the Inner Loop Freeway on the east, the Theodore Roosevelt Bridge approaches on the south, the Potomac River on the west, and G Street, between the Potomac River and Twenty-sixth Street, and F Street, between Twenty-sixth Street and the Inner Loop Freeway, on the north, which shall be selected for such purpose by the National Capital Planning Commission. The National Capital Planning Commission shall acquire by purchase, condemnation, or otherwise, lands necessary to provide for the National Cultural Center and related facilities. Such building shall be in accordance with plans and specifications approved by the Commission of Fine Arts."

The letter presented by Mr. DIRKSEN is as follows:

THE WHITE HOUSE,

Washington, January 18, 1961.

The Honorable EVERETT MCK. DIRKSEN,  
U.S. Senate,  
Washington, D.C.

DEAR SENATOR DIRKSEN: The National Cultural Center Act, signed in 1958, provided for the establishment of a national center for the performing arts. Organizationally, the center is a bureau of the Smithsonian Institution. Its trustees are broadly representative of Government agencies and include appointments from the general public.

This statute set aside a parcel of land in the Foggy Bottom area in the Nation's Capital as a site for the National Cultural Center.

Over a period of many months of discussion and planning, the Board of Trustees of the center concluded that the somewhat awkwardly shaped site described in the law was not adequate for the type of facilities contemplated by the Congress in the National Cultural Center Act.

Consequently, the architect-adviser to the Board of Trustees, Mr. Edward D. Stone, in cooperation with the head of the National Park Service and other officials, developed a plan involving a small addition to the site which would establish the center in a more convenient and useful location immediately upon the Potomac River. This change in plans permitted Mr. Stone to develop the beautiful design for the structure that has received enthusiastic support from the Commission of Fine Arts, the National Capital Planning Commission, and the District of Columbia Commissioners. It has been my impression that the public's response to the plans also has been very favorable, and, at my invitation, 11 of the chief national organizations concerned with the performing arts have become associated with the project.

If plans are to be carried forward for constructing the center in accordance with the approved site plan, it will be necessary to acquire three small parcels of land just outside the boundaries now described in the National Cultural Center Act. In addition to redescribing the boundaries to include these parcels, the boundaries need to be changed in order to permit construction of the center in part on parkland which the

Park Service is willing to substitute in order to create the new enlarged site. This exchange of land with the Park Service will make possible the establishment of the center in a beautiful riverfront setting, surrounded by parks and with adequate traffic approaches, as befits an important building in the Nation's Capital.

Last spring legislation was introduced by you and Senator CHAVEZ, Representative JONES of Alabama, and others to enlarge the boundaries of the site in accordance with the approved plan. Executive branch clearance was given these bills, but in the press of the business in the last session no action was taken. The trustees earnestly hope, of course, that these bills will be reintroduced in the 87th Congress.

It is apparent to me that the whole national fundraising effort for the center may be jeopardized if the trustees are not given a clear title to the land necessary to accomplish the approved plan.

The National Cultural Center project, if brought to realization, would be a tremendous national asset, one which could do a great deal to strengthen the arts in America and thereby improve our cultural image at home and throughout the world.

I hope it will be possible for you to advance this undertaking by supporting the needed legislation early in the session.

Because these matters I have discussed above concern a project in which I believe all of us should have a deep interest, I am sending similar letters to other Members of the Senate and House leadership on both sides of the aisle.

Sincerely,

DWIGHT D. EISENHOWER.

#### ANNIVERSARY OF POLISH INSURRECTION AGAINST CZARIST RUSSIA

Mr. DIRKSEN. Mr. President, on January 22, 1863, Polish patriots led an insurrection against czarist Russia. However, the revolt failed, and the Polish people were brought under the domination of the Russian Empire, which proceeded to ruthlessly punish and oppress the Polish people. History records that Poland became a free and great nation, but the chain of events in history once again brought Poland under the domination of Russia, this time under the Soviet Communists. The Polish people, as is the case with other peoples in central and eastern Europe who are under the yoke of communism, have always maintained their great spirit and love for freedom, and they look forward to the day when again they shall be free. It was not too long ago that the world was shocked at the brutalities inflicted on the Polish people because of their desire and bid to throw off the yoke of tyranny and oppression.

Mr. President, we, the people of the United States, who always are concerned with the rights and dignities of all people, must ever be conscious of the difficulties and oppressions that freedom-loving people must endure under tyranny of any kind, and that we in Government and the United States as a nation of the United Nations should exercise a policy that will reassure the people of Poland and the wonderful Americans of Polish descent in this country and do everything that we can to achieve peace throughout the world, with the right of

freedom and self-government for all nations in the world.

Mr. President, quite apropos of this occasion is the following statement taken from the remarks of my colleague, Hon. EDWARD J. DERWINSKI, of Illinois:

The tragic consequences of the Yalta Conference, when the wartime American President blindly betrayed the free peoples now behind the Iron Curtain, are known to all.

The people in Poland cannot commemorate on January 22 the anniversary of their struggle for independence, so many years ago. However, to once again fly the banner of freedom is their most cherished goal.

Nations, just as individuals, are endowed with faith. We salute the brave Polish people now suffering under Communist tyranny, knowing that their steadfast faith will one day reward them with the previous gifts of freedom that they deserve to possess.

May I call the attention of the Members of the House to the other captive nations behind the Iron Curtain: Czechoslovakia, Hungary, Yugoslavia, Albania, and those nations entirely irradiated by Soviet expansion; namely, Lithuania, Latvia, and Estonia, which are suffering the same tragic fate that is Poland's. Our words of appreciation and encouragement must, at all times, go out to those people as well.

#### FORTY-THIRD ANNIVERSARY OF PROCLAMATION OF UKRAINE AS A FREE AND INDEPENDENT REPUBLIC

Mr. DIRKSEN. Mr. President, January 22, 1961, marks the 43d anniversary of the proclamation declaring the Ukraine to be a free and independent Republic.

The independence of Ukraine, proclaimed by the National Council at Kiev, in 1918, most tragically was a brief one, for in 1920 the Communists brutally subjugated the people of Ukraine, and have held them under their yoke since that time. Like other wonderful peoples in Europe and Asia under the domination of communism, the Ukraine people have lived under the blackest periods in the history of mankind, because of the brutalities and crimes committed against them. However, the oppressed Ukraine people have never given up hope and heart for the day when they may have complete freedom. It is this dream of freedom that places no limit to the number of forces which motivate and put into motion the human desire to move forward toward freedom. The Ukraine people have possessed many fine virtues through their long and turbulent history, and they have clung to them steadfastly.

Prof. Lev E. Dobriansky, of Georgetown University, Washington, D.C., chairman of the Ukrainian Congress Committee of America, Inc., 302 West 13th Street, New York, N.Y., in a letter to Members of Congress, sees hope in the actions of the 86th Congress, which by means of a Captive Week resolution, passed legislation—Public Law 86-749—authorizing a Shevchenko statue; and Congress issued House Document No. 445, entitled "Europe's Freedom Fighter," which today powerfully counteracts Moscow's distortions about bourgeois nationalism in Ukraine and the other cap-

tive non-Russian nations in the "Union of Soviet Slave Regions."

Professor Dobriansky further pointed out:

These advances scarcely scratch the surface of this New Frontier. Much, much more can be done peaceably and skillfully to seize the initiative from Moscow, to demolish the spurious Russian image of power, to gain a strategic political leverage among the non-Russian nations in the U.S.S.R., and to abet those natural forces within the U.S.S.R. which would enable us to win the cold war and thus stave off a hot one. Entailing a Freedom Academy and other measures, a program aimed at a commonwealth of nations in Eastern Europe and central Asia can be realized. It is, for example, nothing short of deplorable that Khrushchev should take the initiative on the colonialism issue though mountains of evidence favor us concerning Russian imperialism and colonialism both within and outside the Soviet Union.

Mr. President, I hope the day soon will come when all freedom-loving people who are under the yoke of communism will again be free, and that all peoples will live in peace and brotherly love.

#### A GENTLE, BELOVED PRESIDENT STEPS DOWN

Mr. DIRKSEN. Mr. President, yesterday a gentle, beloved man and a great leader put aside the mantle of high public office and became a private citizen. This is one of the amazing things about our free system of government. Were it not for the determination by the people that the tenure of the Chief Executive be limited to two terms and had he been willing to again accept the responsibility of this high office, it is entirely possible that he would be taking the oath of office as President for a third time.

In due course, historians will assess his impact on world and national affairs and seek to catalog his place in history, according to their lights. With the detachment which the march of mankind through time provides, each in his own way will endeavor to evaluate his impress upon the problems of his administration and render judgment.

But I am not a historian. For the moment, I am content to set down an appraisal based upon a modest participation in the events of the last 8 years. I can do no better than to re-echo some of the sentiments which I expressed when it was my privilege to present him to our National Convention in Chicago, last autumn.

When, in 1952, he was elected to lead this Nation, a kind of frustration and moral fatigue had settled upon the land. Faith in our own free institutions had weakened. The leaders who preceded him had taken the Nation down one extreme road and then another. Government had become defeatist. It had retreated from the basic principles which made this a great Nation. There was a deficit of resolve, courage, and dedication.

To this vacuum, Dwight Eisenhower brought new faith, new simplicity, and a purposeful political credo. It was all so simply stated. It was modest enough to vex pedantic critics and basic enough



to deeply enshrine him in the hearts of his countrymen. They still revere him.

His dedication to the cause of peace never faltered. Humbly and persistently, he pursued this goal. To the alarm of his associates and at great risk to himself he journeyed to far-off peoples that the warmth of his personality and the earnestness of his message might dissipate their fears and bring to them the unremitting assurance of our devotion to peace. He knew, even as we all know, that the alternative to peace might be coannihilation.

As the grand captain of the greatest military crusade in the history of mankind, his devotion to our national security was foremost in his thoughts. It is the oldest problem of modern society. And it could well become the most pressing of all problems in the years ahead. What he sought always was a balanced defense which would provide the greatest security with the least burden. He had to contend with special pleaders. He noted the self-generated groups which issued critical reports. He witnessed men, educated at Government expense, retire from Government to civilian life where they might utter their frustrations from platforms or by the printed word. As he noted all this, never did he scold or strike back. But at no time did the people lose faith in his judgment or perspective.

From the very beginning, he made it clear that a nation's strength lay not merely in its armed might but in its solvency as well. Over and over, he affirmed the conviction that strength abroad required stability at home and that stability could be achieved only through sound policies. Well did he know that the savings of little people in whatever form could be conserved only by policies which could nullify destructive inflation. This course took courage. It meant the disapproval of measures which had momentary political appeal. It meant resistance to personal appeals from friends and political associates. It meant quiet submission to the sharp attacks of political opponents. It meant holding the budget line. But in this struggle, he never faltered.

He was ever mindful of human needs and the legitimate function of government in meeting the problem. Over and over, he reemphasized the sentiment once uttered by Lincoln that "the legitimate object of government is to do for a community of people whatever they need to have done, but cannot do at all, or cannot do so well for themselves in their separate and individual capacities."

And by no means least in the fresh viewpoint which he brought to the people's government was a new sense of courtesy and good manners. Over the years, close students of government could detect a certain fear and apprehension on the part of our people as if government was their enemy. They could detect a certain growing arrogance in government as if those who were their servants had undertaken the role of master. Good manners retreated and courtesy became an uncommon attri-

bute. By his own unfailing courtesy and his gentle nature, these attributes were restored.

These then were the elements of a simple credo of a gentle man and great leader—devoted to the cause of peace, to national security, to national solvency, to human needs, and to a recognition that this is not a system in which government is master and people are servants but in truth and fact a government by, of, and for the people. So today, we can say to him Godspeed, good healing, and a deserved respite from 8 years of responsibility for the direction and well-being of this Nation.

#### SUBCOMMITTEE ON INVESTIGATIONS

Mr. McCLELLAN. Mr. President, there is at the desk a resolution for which I request immediate consideration. It authorizes certain members of the Permanent Subcommittee on Investigations, of the Committee on Government Operations, to appear before the U.S. District Court for the Southern District of Florida as witnesses and produce certain documents.

The PRESIDING OFFICER (Mr. CANON in the chair). Is there objection to the request for the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. McCLELLAN. Mr. President, I have cleared this with the leadership. The resolution is the usual one, and authorizes the subcommittee to cooperate with the Department of Justice.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 63) authorizing certain members of the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations to appear before the U.S. District Court for the Southern District of Florida as witnesses and produce certain documents, was agreed to, as follows:

*Resolved*, Whereas the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations has in its possession, by virtue of S. Res. 255, section 5, Eighty-sixth Congress, certain evidence pertaining to an investigation dealing with James R. Hoffa, Henry Lower, and Robert E. McCarthy, Jr., which investigation was conducted by the Senate Select Committee on Improper Activities in the Labor or Management Field under S. Res. 44, Eighty-sixth Congress; and

Whereas the Department of Justice has advised that a criminal trial in the aforementioned matter is pending in the United States District Court for the Southern District of Florida, Orlando Division, against said James R. Hoffa, Henry Lower, and Robert E. McCarthy, Jr., charging violations of Federal criminal statutes involving the Federal crimes of fraud by mail, fraud by wire, and fraud by telephone; and

Whereas the United States Department of Justice has advised that a pretrial proceeding in the aforementioned matter is scheduled to commence January 24, 1961, in the United States District Court for the Southern District of Florida, Orlando Division; and

Whereas staff members of the subcommittee and former staff members of the Senate Select Committee on Improper Activities in

the Labor or Management Field will receive subpoenas to appear and testify as witnesses in these court proceedings; and

Whereas, under rule XXX of the Standing Rules of the Senate, such documents in the hands of the subcommittee are the property of the Senate: Therefore be it

*Resolved*, That the subcommittee is granted leave to permit properly designated staff members to appear as witnesses, testify and produce documents before the United States District Court for the Southern District of Florida, Orlando Division, pursuant to the subpoenas and to permit the copying and presentation of certain records for examination in connection with these court proceedings and thereafter to be returned to the possession of the subcommittee.

#### NOMINATIONS RECEIVED ON JANUARY 21

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD the nominations sent to the Senate on January 21, 1961. In looking over the list hastily, I note that there are certain nominations on which hearings have not been held. Let me say, for the information of the Senate, that so far as those nominations are concerned, they will not be considered by the Senate until the hearings have been held and until the material is made available to all Senators.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

#### NOMINATIONS SENT TO THE SENATE ON JANUARY 21, 1961

The following-named persons to the offices indicated:

Chester Bowles, of Connecticut, to be Under Secretary of State.

George W. Ball, of the District of Columbia, to be Under Secretary of State for Economic Affairs.

Roger W. Jones, of Connecticut, to be Deputy Under Secretary of State.

G. Mennen Williams, of Michigan, to be an Assistant Secretary of State.

Henry H. Fowler, of Virginia, to be Under Secretary of the Treasury.

Robert V. Roosa, of New York, to be Under Secretary of the Treasury for Monetary Affairs.

Mrs. Elizabeth Smith, of California, to be Treasurer of the United States.

Roswell L. Gilpatric, of New York, to be Deputy Secretary of Defense.

Elvis J. Stahr, Jr., of West Virginia, to be Secretary of the Army.

John B. Connally, Jr., of Texas, to be Secretary of the Navy.

Eugene M. Zuckert, of Maryland, to be Secretary of the Air Force.

Charles Johnston Hitch, of California, to be an Assistant Secretary of Defense.

Paul H. Nitze, of Maryland, to be an Assistant Secretary of Defense.

Arthur Sylvester, of the District of Columbia, to be an Assistant Secretary of Defense.

Thomas D. Morris, of Maryland, to be an Assistant Secretary of Defense.

Cyrus Roberts Vance, of New York, to be General Counsel of the Department of Defense.

Joseph V. Charyk, of California, to be Under Secretary of the Air Force.

Lyle S. Garlock, of Minnesota, to be an Assistant Secretary of the Air Force.

James Henry Wakelin, Jr., of New Jersey, to be an Assistant Secretary of the Navy.

Byron R. White, of Colorado, to be Deputy Attorney General.

Archibald Cox, of Massachusetts, to be Solicitor General of the United States.

H. W. Brawley, of Virginia, to be Deputy Postmaster General.

James K. Carr, of California, to be Under Secretary of the Interior.

Kenneth Holm, of South Dakota, to be an Assistant Secretary of the Interior.

John A. Carver, Jr., of Idaho, to be an Assistant Secretary of the Interior.

Frank Barry, of Arizona, to be Solicitor for the Department of the Interior.

Edward Gudeman, of Illinois, to be Under Secretary of Commerce.

William Willard Wirtz, of Illinois, to be Under Secretary of Labor.

Jerry R. Holleman, of Texas, to be an Assistant Secretary of Labor.

Mrs. Esther Peterson, of Virginia, to be Director of the Women's Bureau, Department of Labor.

Alanson W. Willcox, of the District of Columbia, to be General Counsel for the Department of Health, Education, and Welfare.

Walter W. Heller, of Minnesota, to be a member of the Council of Economic Advisers.

Kermit Gordon, of New York, to be a member of the Council of Economic Advisers.

James Tobin, of Connecticut, to be a member of the Council of Economic Advisers.

John Moore, of Pennsylvania, to be Administrator of General Services.

George Docking, of Kansas, to be a member of the Board of Directors of the Export-Import Bank of Washington.

John S. Gleason, Jr., of Illinois, to be Administrator of Veterans' Affairs.

Glenn T. Seaborg, of California, to be a member of the Atomic Energy Commission for the remainder of the term expiring June 30, 1963.

#### TRIBUTE TO SENATOR MORSE

Mr. PROXMIER. Mr. President, I should like to commend the Senator from Oregon [Mr. MORSE] for something for which he has not received commendation, so far as I know. I believe it is time that acknowledgment be made.

In 1953, when the Eisenhower Cabinet was nominated, there was an effort, which very nearly succeeded, to have the nominations approved forthwith, without providing adequate opportunity for Senators to study the hearings on the nominations and, obviously, at least, according to my view—without adequate consideration. Thanks to the Senator from Oregon, that did not occur.

A similar situation developed this year. At a conference of Democratic Senators, the Senator from Oregon made it clear that he would object to immediate consideration of nominations to the Cabinet, and he insisted that the nominations go over for one day. He did so for a very excellent purpose. It is a fact that the Constitution requires that the Senate give its advice and consent to these nominations. Furthermore, in the next 4 years, and perhaps the next 8 years, no more important nominations will come before the Senate. The Senator from Oregon made it perfectly clear that his principal purpose was to make sure that Senators have adequate opportunity to be informed, and yesterday the Senator from Oregon took great pains to make sure that that be done by stating that it was his purpose to have the hearings on the nominations made available to all Senators. Mr. President, I think this is a most important and most serious matter

in the interest of the country, and I am delighted to have this opportunity to pay my respects to the Senator from Oregon for his diligence in seeing that that be done. I believe this is one of the many occasions on which the Senator from Oregon, because of his great knowledge of parliamentary procedure and his insistence that the proper procedure be followed, has made a significant contribution.

I understand that the Senator from Oregon is about to speak on the President's nomination of the new Secretary of the Navy, Mr. Connally. I do not know exactly what position the Senator from Oregon will take on the nomination, but I know he has some questions about it. I wish to say that I join the Senator from Oregon in his concern about the nomination, and at this time I desire to serve notice that I intend to discuss the nomination when it comes up on Monday.

This Senator intends to raise questions with the committee chairman who will make the Connally nomination. There appears to be a serious and grave conflict of interest involved. I believe it should be explored most carefully by the Senate.

Mr. MORSE. Mr. President, I thank the Senator from Wisconsin for his graciousness and kindness. I never follow a course of action for the purpose of seeking to obtain approval. My only purpose is to serve the public interest.

In a few moments I shall have something to say about the nomination of John B. Connally, Jr., to be Secretary of the Navy. But, first, I thank the Senator from Wisconsin very much for his generosity and kindness, and for the friendship which his statement portrays.

#### PARENTS NEED SPECIAL TAX CREDITS IN PROVIDING HIGHER EDUCATION; SUPPORT GIVEN TO BILLS FOR THIS PURPOSE

Mr. RANDOLPH. Mr. President, I have introduced, for myself and my colleague [Mr. BYRD of West Virginia], a bill (S. 391) to amend the Internal Revenue Code of 1954 so as to allow a deduction for certain amounts paid by a taxpayer for tuition and fees in providing a higher education for himself, his spouse, and his dependents.

During the recent election campaign in my home State, I discussed the advisability and need for such legislation. At Beckley, W. Va., October 12, 1960, I stated that the years during which parents have one or more children in college are heavy impact years on the family budget and there is cause for recognition of this expense by our Government. The problem is one of importance.

I said, too, that our Nation needs more expertly trained teachers, more diplomats educated to speak foreign languages fluently, and more engineers, if we are to meet the requirements of our country's rapidly expanding population and the trend of world affairs.

Mr. President, if we are to meet the challenge of the Soviets, and if we are to have adequate representation in a world in which scores of new nations are

coming into being as colonialism disappears, we must prepare our youth for positive leadership.

Our young people need to be encouraged and helped to acquire the best obtainable education compatible with their talents, and many parents must likewise be encouraged and assisted if their children are to acquire college educations.

I call to the attention of my colleagues a sensible article in the educational section of the Washington Daily News, Wednesday, January 11, 1961, under the heading: "Start Budgeting Now—High College Costs Are Worry to Parents." Mr. President, I ask unanimous consent to have it printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

#### START BUDGETING NOW—HIGH COLLEGE COSTS ARE WORRY TO PARENTS

One of the tragedies of our era is the high cost of education.

A Government survey reports some 50 to 60 percent of students, eligible for college on the basis of school marks, are unable to meet the expense.

A just completed poll from the Institute of Student Opinion shows one secondary school student in four needing financial aid to continue his education and not sure how to get it.

#### TUITION

Count on \$1,700 a year for tuition, living expenses, transportation, clothes, books, and incidentals if you're planning on a public college, \$2,500 for private colleges.

These costs are double what they were in 1940. Worse still, they are expected to double again by 1970. What is the solution?

Many factors are involved, including whether you are faced with this problem immediately or a couple of years from now, whether you must raise the total cost of college or whether a portion of it might come from current earnings.

Don't be lulled into complacency by the thought that the Government's National Defense Education Act and the thousands of available scholarships will solve your problem.

#### COMPETITION

Competition for the latter is at a peak. The Government Aid Act, unless renewed by Congress expires in 1962.

Don't be lulled into complacency by the thought of financing college solely on the installment plan.

One banker, who is hesitant to make such loans to parents whose retirement may not be secure, points equally to the tragedy of saddling students with debt which they must repay at just the time when they might be starting out in life.

Don't be lulled into complacency by the thought that savings alone will provide for college costs, unless perhaps you have a toddler and you budget from this very minute, taking into consideration the projected cost of college in the 1970's.

#### PLANS

One unhappy parent of two college-age youngsters tells how when his children were infants and he could ill afford the premiums, he bought insurance to cover the cost of college. What he bought 20 years ago now covers 1 year's cost.

Dependent upon how many years lie ahead, you must work out your own formula of savings, investment, borrowing, and perhaps add additional earnings both from parent and student.

Don't count on a scholarship, but don't overlook the possibility.



If you are planning to borrow, shop your education loan carefully.

One of the most interesting savings plans comes from Don Lester Waage, manager for finance in the U.S. Chamber of Commerce, Department of Taxation and Finance.

He shows how, using 3 percent interest compounded quarterly, annual college expenses ranging up to \$2,500 can be met with 5½- and 7½-year plans.

#### SAVINGS

The monthly deposits range from \$33 to \$154, depending on the amount you are planning to save and the number of years you have in order to meet this savings goal.

If you are facing the dilemma of immediately financing a college education, possibly there is a company which would hire your youngster and send him through college at their expense.

Most often this means going to college at night. Banks and insurance companies are among the leaders in this type of aid.

Educators report much good brain power going to waste because of the high cost of education. The younger your child is today, the more aware you are of this problem, and the greater the chance that you can solve it.

Mr. RANDOLPH. Also, Mr. President, I would wish to share with you a most constructive communication on this subject, from the Honorable Ralph J. Bean, of Moorefield, W. Va., former president of the West Virginia State Senate. I ask unanimous consent to have the letter printed in the RECORD at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JANUARY 4, 1961.

Senator JENNINGS RANDOLPH,  
Senate Office Building,  
Washington, D.C.

DEAR SENATOR RANDOLPH: I write you concerning a matter in which I have a keen personal interest, as well as a firm belief that prompt action is needed for the good of hundreds of thousands of American citizens.

I have no objection to paying our Federal income taxes, as I realize that our Government must have money for the multitude of purposes set forth in our budget. I consider it a privilege to pay my small share in helping to keep our country great and good.

However, within the past 2 years, two of my children have been fortunate enough to enter West Virginia institutions of higher education, and I have, under our American way of life, been fortunate enough to have the needed income to pay all of their expenses. For the school year of 1960-61, it will cost me approximately \$4,000, or \$2,000 per student, to keep these two in college. At the same time, under our income tax laws I am allowed an exemption of only \$600 per student or a total of \$1,200. Within the next 3 years, if providence permits, I shall have a third child in college, and my average cost for the three will be \$6,000 per year, and my total exemption will be \$1,800.

I firmly believe that higher education affords one of the best ways of providing better American leadership, and I have always strongly urged every American father to attempt to provide his children with college educations. If this recommendation is followed, I believe that America will become a better country in which to live, and that we will thereby make certain that America will always remain the greatest leader among world powers.

Accordingly, I urge that legislation be enacted to increase the personal exemption under our income tax laws to at least \$1,200 for each child that the taxpayer wholly provides with a college education.

In addition to giving the interested parents a deserving break, such enactment will stimulate an interest in the field of higher education, and will contribute much to making our country a better one in which to live, work, and play.

I sincerely hope you will give my recommendations your very careful consideration.

Very sincerely yours,

RALPH J. BEAN.

#### EXECUTIVE ORDER CONCERNING SURPLUS FOOD

Mr. COOPER. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield to the Senator from Kentucky, without losing the floor.

Mr. COOPER. Mr. President, I just heard of the Executive order of the new President directing an improvement in the amount, variety, and nutritional quality of food distributed to needy families. I think this is a humane action, and one that is long overdue.

I am not the only one in the Senate who has expressed concern over this matter. I remember that 3 years ago I urged on the Senate floor that such action be taken. I urged the Department of Agriculture again and again to increase the amount, variety, and quality of surplus food for needy people.

Finally, when no action came, I offered an amendment with the distinguished Senator from Minnesota, to the mutual security bill, to require the Department of Agriculture to supply surplus food to the needy and to give it priority over food to be sold abroad for local currencies.

Finally we did get some action. I am sorry to say that we were never able to secure the kind of action to supply food in the variety, amount, and nutritional quality that unemployed men and women and their children need.

So today I think it is fair to say it is just that the first order of the President of the United States should be a humane act. I think it is very appropriate that his first act should be for the benefit of the needy people of our country.

#### PROCEDURE IN CONSIDERING NOMINATIONS

Mr. COOPER. Mr. President, the Senator from Oregon has demonstrated again his belief in orderly and due process and orderly procedure. There is a maxim somewhere which states that all law and justice run at least to some degree to procedure. At least, the rights of this body should be protected. I think that by insisting that there be orderly hearings in the Senate on nominations, the Senator from Oregon has performed a great service, not only to us, but to the country.

I have received communications about the nomination of Mr. Connally to be Secretary of the Navy. I do not know him. I do not know anything about him other than the information I have received from letters and through the press. I assume from what I have heard today that the Senator intends to discuss this matter, and I shall look forward to hearing at least a part of his discussion. If I am not able to hear all

of it, at least I shall look forward to reading it in the RECORD.

Mr. MORSE. I thank the Senator from Kentucky.

#### PROPOSED HOUSING LEGISLATION

Mr. JAVITS. Mr. President, will the Senator from Oregon yield to me for about 3 minutes?

Mr. MORSE. I yield to the Senator from New York, without losing the floor.

Mr. JAVITS. Mr. President, I introduce for appropriate reference, for myself and my colleague from New York [Mr. KEATING], proposed housing legislation to first, remove the limit on relocation payments under the Federal urban renewal program; second, increase to \$150 million the urban renewal extender fund; third, permit the FHA mortgage insurance premium to be lowered to one-fourth of 1 percent; and fourth, raise from 10 to 12½ percent the total amount in college housing loans which may be borrowed in any one State for the construction of dormitories and related facilities.

The last of these bills is sponsored by the Senators from California [Mr. KUCHEL and Mr. ENGLE], and the other three bills are sponsored by the junior Senator from New York [Mr. KEATING].

Following the introduction of similar legislation last year, these measures were accepted by the Senate Banking and Currency Committee, of which I am a member, and they were incorporated in the major housing bill subsequently passed by the Senate, but which died in the House Rules Committee.

Action on an omnibus housing bill in 1961 should be of priority concern to the new Congress and the new Administration. The emergency legislation rushed through last year, when the Senate-passed Housing Act of 1960 became hopelessly pigeonholed in the House Rules Committee, gave a last-minute transfusion of funds to a few programs. But urban renewal and public housing along with many necessary amendments to improve established programs such as those being introduced today were bypassed. A repetition of last year's failure must be avoided at all cost in the interest of housing and of our economy.

The legislation proposed today was an integral part of the major housing bill as it passed the Senate, and if anything, it is more necessary now than at the time it was favorably considered in this Chamber. The proposal to increase the present limit on urban renewal relocation payments—fixed at a maximum of \$200 to individuals and families and \$3,000 per business—is aimed at eliminating an inequity which is most often experienced by those living on urban renewal sites in large metropolitan areas. Such maximums are unrealistic in an area like New York City, where the city finds that, in connection with its own housing projects, the cost of relocating tenants usually runs several hundred dollars above what the Federal Government would pay in similar circumstances on an urban renewal site.

Also, some studies of the fate of businesses forced to move off these sites

reveal that up to 25 percent of them did not survive; some business mergers were reported; some owners retired; others failed in new locations; and some disappeared altogether. My proposal would allow the locality and the Federal Governments to treat payments over and above the existing Federal maximums as a regular urban renewal cost, to be shared on the same basis of one-third to two-thirds. Thus, we would minimize the risk that slum clearance would mean slum transference. Instead, tenement families could hope and be helped to relocate in decent housing in a healthier environment.

The proposal to increase the urban renewal extender fund from \$100 million to \$150 million does not increase the total grant authorization for the program itself. But it does assure States which have the greatest number of projects, such as New York, Pennsylvania, Illinois, and California, that they are not going to be penalized for their vigorous participation in the urban renewal program. A more adequate extender fund of \$150 million would mean that when a State exceeds its 12½ percent share of the regular funds, the statutory maximum, its localities could avoid a slowdown or stalemate by seeking new financing from this source.

Another housing measure which I believe would be of substantial assistance to middle income families is the lowering of the annual FHA premium charge for mortgage insurance to one-fourth of 1 percent at the discretion of the FHA Commissioner. The present minimum is one-half of 1 percent. However, the reserve fund for all FHA insurance companies is well above the \$850 million mark, and the savings which my proposal envisions would be substantial to several million families. If the suggested minimum was put into effect, the owners of more than 3 million homes with FHA mortgages would realize an average saving of \$21 a year and up to \$30 on new mortgages. The cost of more than 683,000 units of cooperative or rental housing would be reduced about \$30 each year. This reduction could prove an important stimulus to housing construction in a bracket within the purchasing or rental reach of the middle income group, a group which is now slowly but surely being driven outside many of our big cities because of inadequate housing.

The last proposal I am submitting, which also passed the Senate as part of the Housing Act of 1960, will enable those States which educate an unusually large proportion of college and graduate students to receive their fair share of funds under the college housing program. States like New York and California are making a tremendous effort to house and care for the rapidly growing college population. Today, New York or any other State cannot borrow more than 10 percent of the construction funds for college dormitories and similar facilities, and yet, in our case, we educate between 11 percent and 12 percent of all the graduate and undergraduate students in the United States—418,675 young men and women. California also has passed the 10 percent figure. At the rate this en-

rollment is growing, by 1970 New York colleges and universities expect to have to house as many as 110,000 more students than they do right now. With this responsibility, coupled with the admittedly higher construction costs in New York, often 20 percent higher than in other States, permitting any State to utilize up to 12½ percent of the college loan funds will enable New York, California, and any other State that needs to, to undertake new building programs which are more realistically scaled to future as well as existing college housing needs.

The PRESIDING OFFICER. The bills will be received and appropriately referred.

The bills referred to by Mr. JAVITS were received, read twice by their titles, and referred to the Committee on Banking and Currency, as follows:

By Mr. JAVITS (for himself and Mr. KEATING):

S. 517. A bill to amend the laws relating to mortgage insurance, urban renewal, State limitation, and relocation payments; and

By Mr. JAVITS (for himself, Mr. KEATING, Mr. KUCHEL, and Mr. ENGLE):

S. 518. A bill to amend the Housing Act of 1950 with respect to the amount of loans permitted to be made in any State.

#### DR. THOMAS DOOLEY

Mr. JAVITS. Mr. President, I call to the attention of the Senator from Oregon, who has so graciously yielded to me and others, the passing of a great hero, who fought with heart and skills, not with weapons—although they are to me the most effective weapons. I refer to Thomas Dooley, who died at age 34. I should like to read the last sentence from a New York Times editorial:

He had so little time, but how superbly he used it.

Mr. President, the Thomas Dooley story is very well known. He was the jungle doctor of southeast Asia who contributed to humanity in a most fantastic way. When it was discovered he had cancer, it spurred him on to making a lecture tour from which he raised \$1 million in order to carry on his work and build new centers for hospitalization and surgery in southeast Asia.

Mr. President, I do not think there is any life that is superior to the life of Dr. Dooley in the flaming desire to convey to people in newly developing areas like Laos the aids of medicine and the conviction that Western civilization does have a mission for humanity.

I ask unanimous consent that editorials from the New York Times and New York Herald Tribune, as well as the obituary notice in the Herald Tribune, be printed in the RECORD.

There being no objection, the editorials and article were ordered to be printed in the RECORD, as follows:

#### TOM DOOLEY, DOCTOR OF MEDICINE

Tom Dooley is dead at 34, but he leaves behind him a rich legacy of good works and well deserved good will.

His life, even after he knew it must soon be forfeit, was dedicated to providing the means by which the people of southeast Asia might at last have badly needed medical care. He drove himself relentlessly, building

hospitals, writing books, raising money, training staffs, caring for the sick and bringing hope to the helpless. He became a living symbol of that concern for human, personal welfare which the United States tries, with mixed success, to project.

In a birthday telegram Tuesday, President Eisenhower told him: "It must be a source of heartened gratification to realize that in so few years you have accomplished so much for the good of distant peoples and have inspired so many others to work for all humanity." The world needs more Tom Dooleys.

[From the New York Times, Jan. 20, 1961]

THOMAS DOOLEY, M.D.

Tom Dooley moved fast in his haste to bring healing to the kingdom of Laos. He had to move fast when there were so many hundreds of thousands of ailing and pain-stricken people who needed help and weren't getting it—and so little time. He couldn't be patient or diplomatic with sorrow and death. He couldn't be patient with the disease that finally came over his own strong frame; he fought it and went on doing his work, and his spirit was like a flame in the dark jungle. He couldn't bring the full resources of a New York clinic and hospital to northern Laos, but he brought what he could and was a teacher as well as a physician.

An accident in 1959 stirred up the cancer that was to kill him. He returned to New York for an operation, waited impatiently to regain his strength and plunged again into his faraway field of service. He knew his trouble might recur, and it did. Tuesday, January 17, he had his 34th birthday and Wednesday night, as courageously and calmly as he lived, he died.

Messages from President Eisenhower, Cardinal Spellman and others had comforted him with their assurance that he had done more in 34 years than most men have been able to do in threescore and ten. He had so little time, but how superbly he used it.

#### MASS IN TWO CATHEDRALS WILL HONOR DR. DOOLEY—JUNGLE DOCTOR OF SOUTHEAST ASIA IS FLOWN TO ST. LOUIS FOR BURIAL

A requiem mass will be offered for Dr. Thomas Dooley at 10 a.m. Monday at St. Patrick's Cathedral. A similar mass will be offered at St. Louis Cathedral, St. Louis, Mo., at 10:30 a.m. the same day.

Dr. Dooley, who died of cancer at Memorial Hospital Wednesday, was flown to St. Louis last night. Medical students at the University of St. Louis will serve as pallbearers for Dr. Dooley. Burial will be in Calvary Cemetery, St. Louis.

Dr. Dooley dedicated himself to providing medical aid to the people of southeast Asia and he became widely known as the jungle doctor.

#### CHOSE HARD CAREER

Two years of ministering to the needs—food, shelter, sanitation, and spiritual as well as medical—to thousands of refugees at an evacuation camp in South Vietnam brought Dr. Dooley to a decision, when he was not yet 30 years old that he must forsake a future as a physician in prosperous, comfortable America to dedicate his life to the succor of the helpless and needy of southeast Asia.

He had been serving his medical internship as an officer in the Navy, assigned to an evacuee staging area at Haiphong after the French Indochina war was over. He later wrote of this experience:

"I had to provide shelter and food, sanitation, and some human solace to a flood of humanity, undernourished, exhausted, bewildered, and pitifully frightened—my primary task was medical—to stamp out contagious diseases, but there was no ducking the huge problems of housekeeping and



administration for the shifting camp population, normally between 10,000 and 15,000 persons."

Upon leaving the service in 1956 when he returned to the United States, Dr. Dooley wrote his first book, "Deliver Us From Evil," telling the story of the work at Haiphong. It became a bestseller, and with the proceeds, augmented by donations of material from pharmaceutical companies, he set out to establish a small village hospital at Nam Tha with permission from the new Government of Laos. With him went three former Navy corpsmen who had worked with him at Haiphong.

He turned over this hospital to the Laos Government in 1957 and returned to the United States to raise funds for another such medical mission. In Washington, he met Dr. Peter D. Comanduras, who had been working on acceptance of an international program of direct physician-to-patient medical aid in areas where no facilities existed at all.

#### FOUNDED MEDICO, INC.

Together, the two physicians founded Medico, the Medical International Cooperation Organization, a voluntary, nonpolitical, nonsectarian enterprise which was launched under the auspices of the International Rescue Committee but in 1959 became a separate entity, incorporated as Medico, Inc.

Some of the funds came from the proceeds of Dr. Dooley's second book, "The Edge of Tomorrow," which also became a bestseller after it was published in May 1958. To this money he added proceeds from other writings and a lecture tour that preceded his return to Laos to establish another hospital in the remote village of Muong Sing, the first such institution under the aegis of Medico.

By the end of 1960, Medico had 17 projects in operation in 12 countries.

These included seven hospitals in southeast Asia, and Dr. Dooley had an important role in getting all of them under way. Medico adhered to a policy of establishing its projects only on invitation by the host government, and Dr. Dooley played a principal role in the preliminary negotiations as well as in the details of getting the institutions started.

#### SURGERY FOR CANCER

In August 1959, the young doctor learned that he had a highly malignant cancer of the chest wall and flew to New York for major surgery at Memorial Hospital. After a brief convalescence, he undertook a nationwide lecture tour, raising nearly \$1 million for Medico, before returning to the Medico hospital at Muong Sing.

There he resumed a schedule that involved working 20 hours a day. Two more trips to the United States disclosed no recurrence of cancer, and last spring he delivered 55 lectures in 30 cities in 34 days. He also published his third book, "The Night They Burned the Mountain."

But last November he entered a hospital at Hong Kong, suffering from extreme fatigue and exhaustion, and increasing pain required his return to Memorial Hospital. There, on January 10, it was announced that the cancer had renewed its attack.

Dr. Dooley was a native of St. Louis, Mo., and received his early education there. He attended the University of Notre Dame in 1943-44, and served 2 years in the Navy.

#### LEWIS L. STRAUSS

Mr. MORSE. Mr. President, I have a very important engagement to which I must go shortly, so I shall not yield further.

I wish to complete the remarks I intend to make on the major subject to which I shall address myself, but before I turn to that subject matter, I want to

make a brief comment on some observations which have been made on the floor of the Senate this afternoon in regard to the nomination some years ago of Mr. Lewis L. Strauss to be Secretary of Commerce.

I did not raise the issue, but the observations made were to the effect that those of us who led the fight against the Strauss nomination—and I was one of them—had been proved as a result of subsequent events to have been wrong, it being said that even the Supreme Court decision recently on the Dixon-Yates contract case proved we were wrong. I was quite surprised by that comment because, as I said on the floor of the Senate the other day, the Dixon-Yates case proved how right we were.

The Dixon-Yates case was so infamous, so notorious and shocking in the conflict of interest which gave it birth, that the U.S. Supreme Court set aside a judgment of the Court of Claims, which was a split decision, also, even allowing the Dixon-Yates Co. so-called out-of-pocket money in respect to preliminary preparations in connection with the substance of the contract.

The opinion of the Supreme Court should leave no room for doubt in the mind of anyone how right a group of us in the Senate were in standing up against one of the most powerful lobbies I have ever seen at work in the cloak-rooms of the Senate at the time of the Dixon-Yates fight. The great Senator from Tennessee [Mr. KEFAUVER], who was our leader—many of us strengthened his hand at the time—brought before the Senate the undeniable evidence of the shocking conflict of interest in which Mr. Wenzell engaged when, as an officer of the First Boston Corp., he was slipped into—I think it is the proper use of the words—he was slipped into the Bureau of the Budget to assist the Bureau of the Budget in laying the framework and the groundwork for the provisions of that notorious contract, when it was well known that the First Boston Corp. would be one of the principal beneficiaries of the securities which would be involved in the transaction.

When the Senator from Tennessee asked the Bureau of the Budget to send up the list of personnel involved in the transaction, it was interesting that the list omitted the name of Wenzell. Apparently they did not know we knew. Then when the Senator from Tennessee called the attention of the Bureau of the Budget to the fact that Wenzell's name was not included, and asked for an explanation, the weak, lame alibi was, "It was an oversight."

I said then, and I repeat today: It was a shocking example of political corruption within the Eisenhower administration, repeated in many other instances during the 8-year life of that administration, and some of us have dared to discuss those shocking examples of political corruption on the floor of the Senate in what will be historic debates in the history of this body.

Did the Supreme Court clear Strauss? The comment made by the Chief Justice—as I pointed out in my speech on January 17 replying to an article written

by Mr. Arthur Krock in the New York Times, who, as I said, had not done his bookwork—which was an obiter dictum comment, labored under the impression that the Atomic Energy Commission did not know of the conflict of interest, but of course this was not the issue in the Supreme Court case. The issue in the case was whether there was a conflict of interest involved in the contract. The Court found that there was, and on that basis rejected any claim of the Dixon-Yates Co. to any compensation because of the conflict of interest which was involved.

I pointed out the other day, and I point out once more, in reply to the comments made on the floor of the Senate this afternoon: Mr. Lewis Strauss, under oath, testified before the committee of the Senate he knew, at the time, that Wenzell was an officer of the First Boston Corp. That is the answer. It cannot be denied. There it is, the testimony under oath in the records of the Senate of the United States.

I took the position then, and I take it today, that no man is entitled to have his nomination confirmed as Secretary of Commerce when as an official of the Atomic Energy Commission, as the Chairman thereof, he knew that Wenzell was an officer of the First Boston Corp. at the time of such an incident. So far as I am concerned, it disqualified him to be Secretary of Commerce. It was a shocking example of conflict of interest, which must be prevented from occurring in connection with the confirmation of any nomination in the Senate.

I shall always be proud to stand on the record I made in my opposition to the confirmation of the nomination of Lewis Strauss to be Secretary of Commerce.

#### SENATE PROCEDURES IN REGARD TO NOMINATIONS

Mr. MORSE. I turn now, Mr. President, to a subject matter I wish to discuss very briefly.

The Senator from Wisconsin and the Senator from Kentucky were very kind to refer to the position which I took in 1953 in regard to the procedures which ought to be followed in the handling of nominations in the Senate of the United States. It is a much more popular position today, although some of the gentlemen of the press have not learned it yet, judging from some of the stories today, than it was in 1953 in the Senate of the United States.

I shall not take any time to summarize that record, Mr. President, but I shall ask unanimous consent that I be allowed to have printed in the RECORD certain excerpts from the CONGRESSIONAL RECORD of January 20, 1953, when I raised my objection to the immediate confirmation of the nominations of Cabinet members submitted on that day. I should like to have these excerpts reprinted in the RECORD in my remarks today, saving me the time necessary to read them, because the latter part of the argument I am going to make today on the procedural matter was raised for the first time in 1953.

Mr. President, I ask unanimous consent that I may be permitted to have these passages from the CONGRESSIONAL RECORD of 1953 printed in the RECORD at this point.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

Mr. MORSE. Mr. President, am I correct in my understanding that these nominations may be taken up by motion today for consideration and debate, but that on the basis of an objection from any Senator they cannot be voted on today?

The VICE PRESIDENT. The understanding of the rule by the Senator from Oregon is correct.

Mr. MORSE. Mr. President, I have no objection to a discussion and a debate on the nominations, but I shall object to a vote on the nominations today, for the reasons which I shall state.

We have had placed on our desks a few minutes ago the reports of the committees of the Senate which considered the nominations and a copy of the hearings held in connection with the nominations. However, Mr. President, confirming nominations of Cabinet officers places upon each Member of the Senate such a solemn obligation that, speaking for myself at least, I do not desire to vote on the nominations until I have had an opportunity to read the reports of the committees and the transcripts of the hearings.

It is my judgment that in all probability, when I do finish reading the committee reports and the transcripts, I shall agree with the decisions of the committees. Nevertheless, I cannot substitute the committees judgments for my own responsibilities. I do not agree that there is any great need for haste in connection with these nominations. The various departments will continue to function under subordinates until the Cabinet officers are confirmed. I believe it to be much more important that we demonstrate to the American people in this democracy of ours that we do not approve of nominations quickly and hastily until each one of us has had at least an adequate opportunity to study the record. I believe such action on our part is in conformity with the checks which our constitutional fathers intended we should exercise with respect to the Executive, as they also gave the Executive checks against the actions of Congress. In my judgment, Mr. President, it would not be in keeping with what I consider to be the checks-and-balance system of our form of government for us to proceed to approve the nominations this afternoon without first having had an opportunity at least for a thorough study of them by any Member, or all Members of the Senate, who may wish to take the time for such study.

Therefore, in fairness to my colleagues in the Senate and to the majority leader, as well as because of all the activities which are planned for this afternoon, I believe it to be only fair that I announce at the beginning of the session that I shall object to a vote on any of the nominations today.

Mr. TAFT. Mr. President, the hearing on the nomination of Mr. John Foster Dulles took place 5 days ago. The hearing was open to the public and it was open to the Senator from Oregon. The report of the committee and the copy of the hearings were available yesterday afternoon to all Senators. Therefore I hardly believe that the objection of the Senator from Oregon is sound.

Mr. MORSE. Mr. President, will the Senator from Ohio yield?

Mr. TAFT. The Senator from Oregon is within his rights, of course, to interpose an objection to a vote on the nominations. The parliamentary situation is that the motion to proceed to the immediate consideration

of the nominations, however, is in order, and may be passed on today. I shall make similar motions with respect to the other eight Cabinet nominees, and we shall take them up this afternoon, and consideration of them will be in order tomorrow, when a vote on them can no longer be prevented.

Mr. MORSE. Mr. President, will the Senator from Ohio yield?

Mr. TAFT. I yield.

Mr. MORSE. Just for the record, Mr. President, let me say that the junior Senator from Oregon never saw the reports of the committee or the copy of the hearings until he arrived on the floor of the Senate today. He has checked with his office, and he has been informed that the reports were not delivered to his office. The junior Senator from Oregon is neither a messenger boy nor an errand boy who must run errands around the corridors of the Capitol or of the Senate asking for committee reports on matters which are of so great importance to our country as are these nominations. If the Republican leadership felt that there was a need to rush these nominations through the Senate today it could have at least called a meeting of the Senate for yesterday for a preliminary discussion of the nominations and a delivery of the committee reports to the Senate. Therefore, I respectfully suggest that the nominations be taken up tomorrow, after we have had adequate time for study and consideration.

Mr. MORSE. Mr. President, I object to a vote on the nomination at this time.

The PRESIDING OFFICER. Under the rule the point of order is well taken, and the nomination goes over.

Mr. WILEY. Mr. President, I believe the RECORD should be very plain in relation to this particular nomination, as well as in respect to the other nominations. The RECORD should show plainly that a request has been made by the President of the United States. We have just listened to an address by him in which he stressed the fact that probably today we are in the most critical period of our Nation's history.

It has been a known fact for weeks that the President of the United States would send the nominations to the Senate today. While, of course, I realize that every Senator has his privileges, and that every Senator should exercise them, there has been a custom, as I remember, that with relation to his official family, special consideration should be given to the wishes of the President of the United States. In view of the President's statement that we are now in a critical period in our history, it seems to me that we owe our country the duty of proceeding in these matters with dispatch. I hope that my dear associate from Oregon will not object to a vote on the nominations, particularly in view of the fact that he has in front of him the report of the committee and the testimony relating to the character and ability of the nominees. I say it with no reflection upon the purpose of the objection. However, I believe there comes a time when collaboration and cooperation mean something when we are told by the Chief Executive of this country that we are in a very serious situation.

Mr. MORSE. Mr. President, will the Senator from Wisconsin yield?

Mr. WILEY. I yield.

Mr. MORSE. Mr. President, I appreciate the remarks of the Senator from Wisconsin in pointing out that the committee reports are in front of me. Certainly he did not imply, I hope, that therefore I should accept what is between their covers without having an opportunity to read them.

Furthermore, I may say to my good friend from Wisconsin that on this side of the aisle I have heard the view expressed—and I myself have joined in the expression a good many times in criticism of the Democrats—

that we have been moved for a good many years by the argument of one emergency after another, when actually the cry has been "Wolf! Wolf!" It is somewhat humorous now that the Republicans are in power to hear them resort to the same fear argument when they want to steamroller something through the Senate.

Mr. President, I wish to point out that I know of no emergency of the present hour which involves any jeopardy to our country if we take the time we need to take in order to study the record with respect to these nominations.

I believe that the rule was put in the rule book for the purpose of having it apply to exactly such a situation as confronts us today, and I intend to follow the rule.

I may say also that I have a great deal of respect for the wishes of the President of the United States, but I also have a great deal of respect for our system of checks and balances. They are applicable to the President as they are applicable to the Senate. His expression of a wish will not turn me at any time into a rubber stamp. I shall judge his requests on the basis of the record before me. I have not had the time to study the record, and, under the rule, until I have had the time to do so, I shall press my objection.

Mr. MORSE. Reserving the right to object, and, by way of comment, let me say I do not share the view expressed on the floor of the Senate this afternoon that failure to confirm these Cabinet nominees will in any way interfere with the administration of the Federal Government by the executive branch for any period of time whatever. There is not a department that today does not have a subordinate officer who is going to carry on whether the nomination of the department head is confirmed by the Senate or not. Mr. Hoover is still going to function in the FBI. There are other top but subordinate officials in the Department of Justice who are going to carry on the functions of the Department. The same situation exists in every other executive department. Therefore, I object to the unanimous-consent request of the Senator from Kansas [Mr. CARLSON].

Mr. HENDRICKSON ROSE.

Mr. MORSE. Madam President, the President of the United States has authority to permit those subordinates to carry on until the nominations of the Cabinet officers are confirmed.

One more point, and I shall yield to the Senator from New Jersey in one moment. In reference to the precedents, Madam President, they have not been uniform. There have been a good many occasions when there have been discussions at the beginning of an administration in regard to various Cabinet officers, and Senate debate has gone on in some instances in our history for several days. So the junior Senator from Oregon today is not taking a position that is at all out of line with the history of this country. The position he is taking is in keeping with what at least I consider to be my obligation in the Senate, and that is not to sit here and vote on a matter so important as confirming the nominations of Cabinet officers until I know what the record shows. The committee records have been submitted to me a few brief minutes ago. I intend to study them between now and tomorrow, and I shall be ready to vote tomorrow in accordance with the spirit and intent of the rule.

Mr. MORSE. Madam President, the junior Senator from Oregon feels that he should be able to rely on the procedures of the Senate, and that is what he has done. Under the procedure of the Senate, the reports were placed upon his desk today, and he has seen them today for the first time. He is going to read them tonight and vote tomorrow.



Mr. MORSE. Mr. President, I intend to speak for a few minutes on the principles which, in my judgment, are applicable in connection with the confirmation of nominations of persons to be members of the Cabinet of the President of the United States.

I drove down Constitution Avenue this morning, by the Department of the Interior, and I saw it still standing. Likewise, the Department of Commerce, the Department of Labor, the Department of Justice, the Department of State, and the Department of Agriculture and of Treasury were there in brick and stone, as they were yesterday, and as I am sure they will be for many years to come. I took judicial notice—as I think it was proper for me to do—of the fact that the activities of those Departments were continuing as usual. Those employed in the Departments appreciate the fact that no emergency was created by the failure to confirm the nominations of the heads of those Departments yesterday.

As I recall, it was on May 7, 1945, that I presented to the Senate, I believe in connection with the nomination of Robert Hannegan for Postmaster General, a résumé of some research work which occupied me for a good many days prior to my speech at that time on the history of confirmation fights in the Senate. With the assistance of members of my staff, I had previously analyzed to the best of my ability the results of that research. We analyzed the history of every confirmation fight in our entire history with respect to which we could find any printed record. Without repeating in detail certain excerpts from that speech today, but giving only a résumé of it, I ask to have inserted at this point in my remarks excerpts from the speech to which I have referred. In the course of that speech I also discussed the Henry Wallace nomination.

Mr. MORSE. I should like to finish my remarks first. Then I shall be very happy to yield.

Furthermore, Mr. President, the Record will show that in my previous statement on the floor of the Senate in connection with the subject of confirmation I indicated my belief that the President of the United States is entitled to have his official family consist of men in whom he has confidence and men whom he believes will carry out the policies which will characterize his administration.

After an analysis of the record which was submitted to us when the Senate convened yesterday at noon I am satisfied that the nominees whose nominations were sent to us yesterday meet the tests I have just enumerated. I have one question to ask later in regard to one of them, because I do not believe the record is entirely clear about it. I am sure it will be cleared up quickly. But speaking of them as a group I do believe the nominees meet the criteria which I have mentioned. I believe the President of the United States is entitled to have his nominations confirmed.

I think also, Mr. President, that each Member of this body was entitled at least to have what I sought yesterday, namely, an opportunity to study the record affecting each one of them. Having had that opportunity we can today, as we come to a vote on the nominations, feel assurance in the knowledge that we are fulfilling our representative responsibilities to the people of our States. We can be confident that we have kept faith with the trust inherent in the oath which we took when we were sworn in as Members of this body that we would act on the basis of our judgment, not on the basis of accepting without analysis the judgment of a committee of the Senate.

That leads me to make a few brief comments about the position which the junior Senator from Oregon took yesterday. Of course, he is well aware of the fact, and was well aware of it yesterday, when he took a

position in opposition to immediate confirmation in the face of the great desire to speed through the nominations so that we could go out to see the beautiful and symbolic inaugural parade, that there would be those who would say that the junior Senator from Oregon was motivated by a spirit of vengeance, retaliation, or vindictiveness.

Those who know me, of course, were aware that I would take the position I took yesterday irrespective of the action taken by the Senate in regard to what I considered to be my rights in connection with committee assignments.

My action yesterday was based entirely on my conviction that hasty action in confirming Cabinet nominees is a mistake and not in the public interest. I shall continue, as I have in the past, to support my colleagues on the Republican side of the aisle and on the Democratic side of the aisle when I consider them to be right, and to oppose them when I consider them to be wrong. Mr. President, others may differ with my judgment, as some did yesterday, but not all in the Senate yesterday disagreed with me, judging by the 17 Members of this body who up until noon today had said to me, either in personal conversation or over the telephone, that they were glad I took the position I did yesterday. They expressed views agreeing with me that it was important that the principle of checks and balances in our Government, which I endeavored to uphold yesterday, should be protected. They know that I was not then, and am not now, activated by the motivations that some attributed to me.

But, be that as it may, my skin is thick when it comes to such matters. I am not afraid of being defeated, and I am not going to do things necessary to be reelected if doing those things cannot be squared in my judgment with the political principles in which I believe.

Mr. President, many people share the point of view which I expressed yesterday. I have received many telegrams also of the opposite nature—critical telegrams—but I have received a good many telegrams which endorsed the position I took yesterday. I have taken a sampling of them, and I ask unanimous consent without the names of the senders being printed, to have the telegrams inserted in the Record at this point in my remarks.

Mr. MORSE. I very well recall the situation in 1953, Mr. President, when we came to the Senate Chamber to go to the inaugural stand. The committee reports on the Cabinet nominees were on our desks when we arrived in the Senate Chamber. I recall it very well, because I asked, in conversation at that time with some of my colleagues:

Is it anticipated that we will pass on these nominations today?

I was told by several Members that was the practice. I checked the rules and I discovered that if it were the practice it nevertheless was a practice which could easily be stopped by the application of the rules.

The rules provide that a nomination must be placed before the Senate 1 day and cannot be voted on in the Senate that day unless there is unanimous consent. What a very sound rule that is, and how well we have proved the soundness of that rule today.

Let us suppose, Mr. President—and this would have been as true in 1953 as it is in 1961—with all the pressures we are under, with the many responsibilities we had to be in many places at the same time yesterday, which was physically impossible, that an attempt had really

been made to confirm the nominations of Cabinet members yesterday. The whole setting of Inauguration Day simply is not fitting for a reasoned discussion of nominations, nor is it fitting for adequate debate in case controversy arises.

As was pointed out by the Senator from Wisconsin today, no nomination is more important for the consideration of the Senate under the advise-and-consent clause of the Constitution, than a nomination to a Cabinet position. I did not teach the legal and historic meaning of the advise-and-consent clause of the Constitution for many years simply to walk away from my own knowledge of it because I walked into the Senate of the United States. I consider that each one of us assumes a solemn trust when he comes into this body and takes the oath of office to uphold the Constitution of the United States.

Mr. President, upholding the Constitution of the United States does not call for pro forma action. Upholding the Constitution of the United States in the carrying out of a Senator's duties calls for hard work, thorough consideration, due deliberation, and the carrying out of what our forefathers intended. They intended that when nominations are sent to the Senate of the United States they should be given serious consideration by each Senator. In order to have that serious consideration it is necessary, of course, that we have before us the reports of committees which have had the hearings on the nominations.

No Senator can possibly attend all the hearings on every nomination. They are assigned to different committees, and usually when one committee is holding a hearing on a nomination, we have manifold duties to perform elsewhere, if we are not on the committee that is considering the nomination.

The entire procedure is gaged to deliberation and thorough consideration. As I said in 1953, there is no need whatever for immediate confirmation of a nomination of a member of the Cabinet. There is not a single department downtown that is going to fall down unless the nomination of the Secretary of that Department is confirmed immediately.

Our majority leader, the very able Senator from Montana [Mr. MANSFIELD], talked to me about this subject several days ago. He wanted to know if my position had changed since 1953, and I good naturedly replied, "What do you think?" He smiled, and did not require an answer. I proceeded to tell the Senator from Montana that my position had not changed; and that, in my judgment, the nominations should be presented on Inauguration Day, and we should then proceed to give consideration to them after Inauguration Day, which we did today.

Consider the record that has been made today. I think it will prove to be a very important record. It provided an opportunity for every Senator, if he wanted to make any comment on any nomination, if he wanted to register any reservation, if he wanted to offer any opposition—and it was done in one instance and reservations made in another—or if he wished to make any

statement in support of the nomination, he had adequate time to do so, without any pressure being put upon him to the effect that, "We must hurry, because we must get out to see a parade."

I believe the record that we have made today supports the position that I have taken on procedure; and so long as I am in the Senate I have no intention ever to let any nomination that requires Senate approval to be passed upon on the same day that it is submitted to the Senate, because I believe we should do our bookwork. I believe we have the duty as students of government to see to it that we carry out the meaning of the oath that we took when we came into the Senate.

Furthermore, misunderstood as it seems to be in part of the press today, at least, the position I took on the floor yesterday afternoon was that I did not think that there should be any consideration of nominations today on the floor of the Senate unless we were first supplied with the committee reports on the nominations. It will be recalled that yesterday afternoon, for a period of time, there was a little confusion as to whether all the reports had been printed. But they had been. My position was simply that the reports should be made available on the desks of Senators. Although there is no rule that requires such action, there is a long-standing custom in that regard. Again the majority leader, the great able Senator that he is, gave assurance to us that the reports would be in our hands some time yesterday afternoon or evening. I wish to thank him, because the special service that I was given certainly was not necessary. The reports were delivered to my apartment, so when I got back from the parade they were there. I give my word that I read them, and I found them very helpful in my final appraisal of the nominees, and very helpful in making such comments as the RECORD will show I made in certain instances today in respect to certain nominations.

I now wish to discuss a specific nomination.

**THE PRESIDING OFFICER.** The Senator from Oregon has the floor.

**NOMINATION OF MR. JOHN B. CONNALLY, JR., TO BE SECRETARY OF THE NAVY**

**MR. MORSE.** Mr. President, I have received today a report from the committee on the nomination for the Secretary of the Navy, Mr. John B. Connally, Jr. I am making this brief statement today in regard to that nomination, though it will not come before the Senate for consideration before Monday, so that Senators who have made up their minds to support the nomination may, if they care to do so over the weekend, supply additional information, which I certainly will require before I will vote to approve the nomination, because I find the committee report on the nomination unsatisfactory, and I shall vote against it, if the report is the only reference material on which I shall have to rely in order to make up my mind affirmatively or negatively on the nomination.

This afternoon some Senators said that with respect to certain nominations they have received a great deal of mail, tele-

grams, and telephone calls. On the nomination of Mr. Connally, I can say that I have been deluged. I find widespread opposition to the Connally nomination. I have tried to figure out why so much public interest has been aroused in regard to the Connally nomination. I have come to a tentative conclusion, which I will state in a moment.

The latest telegram I received, which was received after the Senate convened today, came from my home State. It is very typical of many telegrams and letters like it:

EDDYVILLE, OREG.

We oppose the appointment of oil lobbyist John B. Connally, as Secretary of the Navy. We do not want another big oil administration.

H. R. GLASCOCK, Sr.,  
DOROTHY S. GLASCOCK.

Many telegrams and telephone calls of this nature have been received; and if I were to summarize them by way of a descriptive term I would say that the objectors take the point of view that the nominee spells the short word "o-i-l" and personifies it.

I need not remind the Presiding Officer that our problems with oil, legislatively in the Senate, are among the most controversial ones that confront us in each session of the Congress. The American people are very much concerned about the oil policies of the country, and they should be, because in a very real sense oil happens to be one of the very small number of vital commodities that can very well determine the survival of the United States. We know from past debates that any discussion of oil raises questions in regard to our natural resource policy. Although oil is possessed through legal title by a great many of our citizens, as I have said before and repeat this afternoon, every oil company is but a trustee of a great resource that, in the broader sense belongs to all the people of the United States. Such a view is not inconsistent with a private property conception or philosophy of government. But because this industry, like so many others, is vested with a public interest, Congress long ago decided that the Government has the legal right to exercise certain controls, regulations, and jurisdiction over the oil industry. That statement applies to natural gas, too.

We all know there is a columnist by the name of Drew Pearson. All of us have felt in our bloodstream the pinpricks of his pen many times.

He has been the recipient and the butt of a great many descriptive terms, which I would not put on the pages of the CONGRESSIONAL RECORD this afternoon, because the pages of the RECORD are not made of asbestos. They would burn up the inflammatory paper of the CONGRESSIONAL RECORD. I believe that the best description of Drew Pearson is the term "muckraker," as I said on another occasion. I think he is the most able and the most effective journalistic muckraker we have had in the United States in our time, if not in our whole history.

When I use the term "muckraker," Mr. President, I speak in a complimentary and not in a derogatory sense. I speak in the sense that the verb "to muckrake"

is defined in Webster's New International Dictionary; namely, "to seek for, expose, or charge, especially habitually, corruption, real or alleged, on the part of public men and corporations." Muckrakers, in the foregoing sense, perform a great public service.

If we go out to dinner, and we think it is a little bit dull, all that anyone need do is to mention the name of Drew Pearson, and the host and hostess do not have to worry whether the party is going to lack conversational topics for the rest of the evening.

He has been writing on the Connally nomination. I get that impression from the mail and telegrams that have been coming to me, and telephone calls also. He has published a series of columns on the Connally nomination. I have gone over them very carefully. I have deleted from them any sentence which violates rule XIX of the Senate. In the interest of saving time, I ask unanimous consent that they may be inserted, as deleted by me, at this point in my remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

EDDYVILLE, OREG., January 20, 1961.

HON. WAYNE MORSE,  
U.S. Senate,  
Washington, D.C.:

We oppose the appointment of oil lobbyist John B. Connally as Secretary of the Navy. We do not want another big oil administration.

DOROTHY S. GLASCOCK,  
H. R. GLASCOCK, Sr.

OIL LOBBYIST AND NAVY  
(By Drew Pearson)

If President-elect Kennedy had switched the appointment of his Secretaries of the Army and the Navy a lot of his Senate supporters would be happier. As it is, he has appointed one of the top oil lobbyists of the United States, John B. Connally, to be Secretary of the Navy, a branch of Government which is the biggest oil purchaser in the world.

If he had been made Secretary of the Army, Connally, an able lawyer, would have no problems. But in appointing Connally Secretary of the Navy, Kennedy has put Senate colleagues on the same embarrassing spot that Harry Truman put Senate Democrats when he appointed his close friend, Ed Pauley, to a lesser post—Under Secretary of the Navy. Pauley is able, honest, loyal—but an oilman. Even close Democratic friends of Mr. Truman opposed him. Truman bowed. Pauley's name was withdrawn.

The case against Connally is even stronger, first because he will be top man in the Navy, not Under Secretary; second, because Connally has been much closer to the oil-gas companies than Pauley. Pauley is an independent operator. Connally was the attorney and lobbyist for a group of oil-gas companies which raised \$1,500,000 in 1956 to lobby the natural gas bill through Congress.

Connally was the mainspring of that lobby, helped direct the expenditure of its funds, masterminded the battle on Capitol Hill. Almost every important gas-oil company in the Nation contributed to this lobbying fund, thereby also paying for Connally's professional services.

Yet Connally, as Secretary of the Navy, not only will buy more oil than any other man in the world, but will be charged with the supervision of one of the greatest oil reserves in the world. He will have to decide whether to lease certain areas to avoid



loss from adjacent wells, and if so which companies to lease to. Inevitably some will be his old lobbying associates.

Since this column has reported on the oil influences around President Eisenhower, it's only fair to report on the oil influences around incoming President Kennedy.

#### TREMENDOUS OIL DOMAIN

As Secretary of the Navy, Connally would supervise 23,700,000 acres of oil land, plus 156,113 acres on oil shale reserves. Here is a brief breakdown of this vast property now governed by the U.S. Navy:

1. Elk Hills, Calif.: 46,095 acres of proven oil land of which the Navy owns 81.7 percent; Standard Oil of California owns 18.3 percent. This is part of the area which got involved in the famous Teapot Dome scandal during the Harding administration when Edward Doheny delivered \$100,000 in a little black bag to Albert Fall, then Secretary of the Interior.

2. Buena Vista Hills, Calif.: 30,181 acres, owned one-third by the Navy and two-thirds by private companies. Since Navy holdings are checkerboarded with those of private companies, the Navy, to protect loss from offset drilling, has leased 17 plots of land to seven operators. They are: Standard (Calif.), Richfield, Union, Socony, Honolulu Oil, General American Oil of Texas, and Tidewater.

Most of these—through their executives—have been heavy political contributors to both lobbying and political campaign funds. Most of their money went to Eisenhower. However, Connally at that time was on their side of the fence. He was a big Ike booster, did his best to defeat Adlai Stevenson.

3. Teapot Dome, Natrona County, Wyo.: 9,481 acres. This also figured in the famous Harding oil scandal. Four years ago, MKM Oil and Trigood Co., both of Casper, started a new development along the eastern boundary of the Navy's holdings.

So the Navy started offset operations to prevent its oil from being drained off. It let a contract to Intex Oil of Bakersfield, Calif. This is the kind of decision Connally would have to make as Secretary of the Navy—namely, whether to lease or not, and if so to which private company.

4. Arctic Slope of Alaska: 23,680,000 acres, all Navy owned, with no private drilling in the area except for Colorado Oil and Fuel which, however, has to keep 2 miles away from the Navy reserve.

The Navy's oil shale reserves include 41,353 acres near Rifle, Colo., 92,160 acres in Carbon and Uintah Counties, Utah, and another 22,600 acres near Rifle. None of it is being developed.

[From the Washington Post, Jan. 21, 1961]

#### McNAMARA GIVES CHIEF HEADACHES

(By Drew Pearson)

Robert McNamara, former president of Ford Motor Company, has all the earmarks of making an excellent Secretary of Defense, but he certainly caused his new chief in the White House some political headaches. The headaches run deep and could be permanent.

Headache No. 1 came when McNamara vetoed veteran labor leader Joe Keenan as Assistant Secretary of Defense in charge of manpower. This is still causing labor resentment. Furthermore, the Defense Department is sure to have labor troubles, such as the strike which tied up missile base construction, and McNamara will be wishing he had a man like Keenan to straighten things out.

Headache No. 2 came when McNamara vetoed Franklin D. Roosevelt, Jr., for Secretary of the Navy and accepted John B. Connally, Texas oil attorney, instead.

The Roosevelt appointment as Secretary of the Navy was to have been a cornerstone in Mr. Kennedy's political strategy. F.D.R.,

Jr., had fought hard for him, long before the bandwagon rush developed. His appointment would have followed an old tradition, set by Teddy Roosevelt, of a Roosevelt serving in the Navy Department. Finally, the Navy post was to be a buildup for F.D.R. to run for Governor of New York against Nelson Rockefeller.

However, Mr. Kennedy had given McNamara the right to veto his assistants in the Defense Department and McNamara turned thumbs down.

Since then, Kennedy has frequently been up in New York conferring with Democratic leaders regarding the best man to replace F.D.R., Jr., as Democratic candidate against Rockefeller. Mr. Kennedy regards Rockefeller as the Republican candidate for President in 1964, not Nixon, and he wants a potent, popular Democrat to try to polish Nelson off in his gubernatorial reelection race in 1962. F.D.R., Jr., with a Navy buildup, would have been ideal.

This has caused Kennedy advisers to do a little speculating as to why the new Secretary of Defense should veto Roosevelt for the Navy, yet take an oilman like Connally.

Connally could have been appointed to various other jobs, such as Secretary of the Army—which long remained open—and there would have been no argument. He's an able, intelligent attorney. But Vice President Johnson very much wanted him to be Secretary of the Navy.

Some Kennedy advisers note that McNamara is taking advice from the New York attorneys for the Ford Motor Co., headed by Eddie Weisl, close friend and counsel to Johnson. Weisl's law partner, Cyrus R. Vance, will now become McNamara's counsel in the Defense Department. They wonder if it wasn't one of these New York advisers who "put the kibosh" on Franklin Roosevelt, Jr., to be Secretary of the Navy. If so, he did a great favor to Gov. Nelson Rockefeller, also made an opening for Johnson's campaign manager, John Connally.

#### NAVY CONTRACT

Vice President Johnson is famous on Capitol Hill for phoning publishers, editors, and TV executives to try to kill or modify news stories he doesn't like. One story he was not able to kill was published in Fortune magazine last month regarding three of Johnson's Texas supporters, plus his brother Sam, and the amazing Navy contract awarded them, practically without competitive bidding.

Johnson's former assistant, John Connally, when he becomes Secretary of the Navy, will administer this contract. It was awarded the Transport Co. of Texas in which his late boss, Sid Richardson, was third largest stockholder, at a time when Connally was attorney for Richardson.

Second largest stockholder in Texas Transport is ex-Congressman John E. Lyle, of Corpus Christi, a faithful contributor and money-raiser for Vice President Johnson.

At the time the contract was signed, in April 1959, Sam Johnson, younger brother of the Vice President, held a \$16,000 Senate clerkship under the aegis of his elder brother. Sam conferred with Edgar Linkenhogger, president of TCT, while the Navy negotiations were going on. Afterward, Sam went to work for the company.

The contract was for operating the Navy's housekeeping facilities at Kwajalein in the mid-Pacific, and Fortune describes in well-documented detail how the admirals made sure that the Texas Co. was placed in a favored position to get this profitable, cost-plus-fee deal.

"The \$5,200,000 estimate for the first 15 months was followed by a \$13,300,000 estimate when the contract was extended for another 15 months," reported Fortune. "The \$18,500,000 total includes \$1 million in fees for TCT."

John Connally, the attorney for the third largest owner of the company, hereafter will administer the Navy end of this same contract.

#### OIL AND SECRETARY OF THE NAVY CONNALLY (By Drew Pearson)

There are striking similarities between the confirmation battle of Edwin Pauley to be Under Secretary of the Navy in 1946 and the confirmation question of John B. Connally to be Secretary of the Navy in 1961.

Harold Ickes, then Secretary of the Interior under Truman, challenged Pauley's appointment because of the fact that the Navy had jurisdiction over approximately 100,000 acres of oil lands and because Pauley had raised political contributions for the Democratic Party with the hope that the Democratic administration and Members of Congress elected to support it would oppose any test by the Supreme Court regarding the jurisdiction of the offshore oil lands which the States of California, Texas, and Louisiana then claimed.

One essential difference between the Pauley debate and the Connally situation is that the Navy's oil reserves have now been multiplied many times. A total of 23,000,680 acres in Alaska have been added to the less than 100,000 acres in Wyoming and California which would have come under Ed Pauley's jurisdiction had he been confirmed as Under Secretary of the Navy. One other difference is that Pauley was to occupy a less-important job than Connally, who has been appointed Secretary of the Navy.

The Senate, in 1946, went along with Ickes' argument that a man who had shown himself to be very much in favor of private and State exploitation of oil was not a man to be put in charge of Government oil lands. There was no charge that Pauley wanted the Navy oil for his own use or his company's use; but rather that he had been active politically in following the policy to prevent Federal jurisdiction of tidelands oil.

Although President Truman rewarded his friend Pauley (later bowing to Senate demand and withdrawing his name, however) he differed drastically with Pauley's philosophy and proceeded to test tidelands oil jurisdiction in the Supreme Court. Truman had received large amounts of campaign funds from oil sources but ignored their donors' demand that he abstain from a Court test. The Court test was favorable to the Federal Government.

Almost simultaneously legislation was introduced in the Congress to overrule the Supreme Court. Likewise simultaneously, various Democrats began flirting with Eisenhower to run for President, first as a Democrat, later as a Republican. Among these was Sid Richardson, one of the three wealthiest men in the world, who in 1952 retained John B. Connally as his attorney.

Connally had been active publicly in 1948 in proposing that Eisenhower run for President as a Democrat, instead of Truman. In 1952 Connally went all out for the Republican ticket to elect Eisenhower, though not until after definite pledges had been made to oilmen by Eisenhower that he would reverse the Supreme Court in its decision over the jurisdiction of tidelands oil.

Connally was considered one of the leaders in Texas of the drive to make sure that tidelands oil did not continue under the jurisdiction of the Federal Government. His philosophy was exactly the same as Ed Pauley's. To make sure that Eisenhower was properly coached and pledged on this point, Sid Richardson went to Paris to confer with General Eisenhower in the spring of 1952. And just as oil money was raised by Pauley for candidates supposedly pledged on private and State exploitation of tidelands oil, so Eisenhower's expenses at the Commodore Hotel in New York, totaling approximately \$200,000 were paid by Richardson.

and Murchison, together with a large part of his campaign expenses in Chicago during the 1952 convention.

Just prior to this convention in July 1952, Ike's oil backers faced some skepticism from other oilmen who pointed out that they had backed Truman with the belief that he would side with them on tidelands oil, only to be disappointed. Accordingly, it was arranged that Eisenhower should send a telegram to H. J. "Jack" Porter, Republican national committeeman from Texas, which read: "I see no conflict in this responsibility which interferes with the vesting of title of tidelands in the States."

This telegram was used with oil backers of Senator Robert A. Taft to wean them over to Eisenhower at the Chicago convention.

Connally was one of the masterminds of this strategy. His client Richardson put up the money, it is true, rather than Connally. In this respect there's a difference between Connally and Pauley inasmuch as Pauley contributed both his own funds and raised money from others. However, Connally's whole philosophy and energy and legal brains which were considerably sharper than Richardson's, went into the effort to make sure that the Supreme Court decision which Pauley wanted to avoid, would be reversed.

There followed the effort by the Texas, Louisiana oil and gas men to then reverse the Supreme Court decision that natural gas in interstate commerce came under the jurisdiction of the Federal Power Commission. This resulted in the natural gas bill of 1956 which Connally helped to lobby through Congress. For many weeks he had headquarters at the Mayflower Hotel from which he directed the legislative battle. He was close to Elmer Patman, the lobbyist for Superior Oil, who later was convicted of attempting to bribe Senator Case of South Dakota. Patman, a native of Austin, had known Connally in that city when Connally was practicing law and when he organized a radio station in Austin.

During the very brief hearings before the Senate Armed Services Committee on January 18, 1961, Connally was asked no questions regarding his gas lobbying activities and none about his efforts to overturn the Supreme Court's decision on tidelands oil.

However, his record as a very astute attorney for one of the three biggest oilmen in the world shows that approximately 10 years of his life were devoted to trying to upset Federal jurisdiction, first over tidelands oil, second, over natural gas. He seemed to think that his problem as Secretary of the Navy was in buying oil, and as a buyer of oil he might favor one of the companies with which Richardson had been associated. Connally neglected entirely, however, the question of oil reserves and whether his background was of a nature which made him impartial as a public servant in protecting the U.S. Navy's future fuel reserves. This was the essential issue in the Pauley debate.

As Secretary of the Navy Connally will face the problem No. 1, of offset drilling by private companies which may lessen the Navy's oil reserves. In the Buena Vista Hills in California there are 30,181 acres of which the Navy owns one-third and private companies two-thirds, with the Navy holdings checkerboarded with those of commercial companies.

No. 2, Secretary of the Navy Connally would have to decide whether to keep this acreage, including the 23,000,680 acres in Alaska, all Navy owned. There has been some debate as to whether this area which has not been well proven should be retained or turned over to private companies for exploitation.

During the Pauley debates vigorous editorial opinion was expressed by the New York Times, St. Louis Post-Dispatch, Walter Lippmann and the Washington Post that Pauley should not be confirmed. Events have moved so rapidly that there has been little edi-

torial comment regarding Connally. However, the Washington Post which appears to favor Connally's confirmation, published the following vigorous editorials on essentially the same issue during the Pauley debates:

"[From the Washington Post, Feb. 2, 1946]

#### "THE NAVY'S OIL

"In one respect at least, Harold Ickes has helped to clarify the picture of Mr. Edwin W. Pauley which is gradually coming into focus before the Senate Naval Affairs Committee. The Secretary of the Interior was apparently not quite sure whether he was supposed to be testifying about Mr. Pauley or about Mr. Max Thornburg, a former Department of State petroleum adviser, whom he seems to dislike. Most of his spleen was reserved for the latter. But he did definitely confirm a reported conversation in which Mr. Pauley was alleged to have said that he could raise several hundred thousand dollars if the Government would abandon any claim to the submerged oil lands off the coast of California.

"This and other testimony tends to reveal Mr. Pauley as a man who used his political position to advance his personal interests. Whether this testimony is true or whether, as Mr. Pauley insists, the Secretary of the Interior 'is mistaken,' seems to be less important than a simple fact established by Mr. Pauley himself. The nominee for the Under-secretaryship of the Navy has a direct personal interest through the Petrol Oil Corp.—to the tune of a thousand barrels a day—in the oil off the California coast. His interest is in direct conflict with the interest of the U.S. Navy, which should jealously conserve this oil for the future defense of the Nation. It is this stubborn fact which disqualifies Mr. Pauley, apart from any other consideration for the particular office to which the President has nominated him."

"[From the Washington Post, Feb. 10, 1946]

#### "NO, NO, NO

"The President will not withdraw the nomination of Ed Pauley as Under Secretary of the Navy. This was to be expected. Mr. Truman is a man of his word, and having promised Mr. Pauley a Cabinet job, he intends to abide by his pledge. This is understandable. It is the first principle of the politician that debts must be liquidated. But the restatement of the President's faith in Mr. Pauley cannot hide the fact that the President is deeply embarrassed. The revelations of Mr. Pauley's oil politics are only one reason for the embarrassment. The wholesale nature of Mr. Pauley's denials is another. Even when confronted with the plain record of Secretary Ickes' notes, he refuses to acknowledge their truth. He says 'no' to everything except one thing, and his 'yes' here merely adds to the indictment against him. Mr. Pauley says he will drop all his convictions about oil in the event that he becomes Under Secretary.

"All that Mr. Truman can do is to wait for Mr. Pauley to withdraw his name for the post he covets. Reiterating his refusal to withdraw, Mr. Pauley says he will risk a showdown. Ed Flynn was equally stubborn when President Roosevelt sent his name to the Senate for a high diplomatic post, but confronted with an unofficial nose count of 50 to 35, he backed down, and the nomination was withdrawn. The case against Ed Pauley is far more damaging than the case against Ed Flynn, the post far more significant. If the Senators have an elementary regard for good government, they will get together without delay and enable Mr. Pauley to withdraw. By so doing they would be doing the President a kindness which Mr. Pauley himself refuses to do. It is a painful thing to witness a President giving the Nation's youth such a bad lesson in the elements of good government. A no, no, no, is the language

that Mr. Pauley understands, and it should be given without delay, so that the President can have his mind relieved for his important duties and yet have the satisfaction of having liquidated his personal pledge."

"[From the Washington Post, Mar. 14, 1946]

#### "PAULEY BOWS OUT

"That Mr. Pauley has decided to withdraw his name from Senatorial consideration for under-secretaryship of the Navy amounts to a facing of the inevitable. He could never have been confirmed. The evidence against him, chiefly out of his own mouth, was too damaging, and the Senate would have had to bow to, as it seems to us, an outraged public opinion. Oil and politics made up Mr. Pauley, and no one seemed to know where the one ended and the other began. He implied on the witness stand that he had no convictions. Such a combination does not add up to a good public servant, particularly in the expectant post to which Mr. Pauley aspired.

"The cause of good government gains with the rebuff of Mr. Pauley's great expectations. In these days when free government is on trial, the appointive power has assumed a singular importance. We have every sympathy for the President in his difficulty in getting first rate men to serve the Government. His task is the harder because Government salaries are relatively low and Government appointees are sometimes made the butt of senatorial irresponsibilities. But the stomach of the Senate is not particularly sensitive. For the sake of the Presidential prerogative, it is prepared to swallow a lot. However, in the appointive functions it has a duty sometimes to save the President from himself, and in the Pauley case it did precisely that."

"[From the Washington Post, Mar. 12, 1946]

#### "POST PAULEY

"The magnitude of the administration's defeat in the matter of Mr. Pauley was emphasized by the very reluctance to concede it. Now the Democratic Party is seeking to repair the damage, and the first effort is, strategically, creditable, namely, the effort to persuade either Governor Darden or Joseph P. Kennedy to be Under Secretary of the Navy. But either would have his work cut out as an angel of healing. The battle for and against Mr. Pauley, as waged at committee hearings and in the newspapers, was too bitter to be easily forgotten or forgiven. Many hard words were said publicly, harder ones privately and many hard feelings were engendered which will almost certainly have repercussions in the primary campaigns 2 years hence. As a result of the Pauley affair, the rift in the Democratic Party has grown wider and perhaps irreparable. Mr. Ickes, in his melodramatic manner, abandoned the administration that he might be the freer to carry on his fight against Pauley with his old-time vehemence, and with all his exhaustless resources of invective.

"It seems to us that the administration has only its own bad judgment to blame for the serious loss of face involved in this defeat. Quite apart from any question of Mr. Pauley's personal or business ethics, there was an obvious and almost shocking impropriety in nominating a millionaire oilman to such a position. At the time when the national oil resources have become such a matter of life or death importance, it is necessary that any public official who may be given power to make decisions or dispositions concerning them, should be not only above reproach, but above suspicion of reproach. Whatever his personal character, Mr. Pauley could not, in the nature of things, be above suspicion. His business interest and the national interest were at conflict at so many points that his appointment to a high post in either the Navy or the Department of Interior would have been almost as



incongruous as the appointment of a professed anarchist to be Chief Justice of the United States. This was not plain to the party managers, but it was crystal clear to the electorate, and thank God that it was."

#### CONNALLY AND GAS

Apropos of his efforts to pass the natural gas bill in 1956, Connally is listed in the McClellan hearings as a member of the steering committee of the General Gas Committee, organized by every leading oil and gas company in the Nation, to "effectuate a legislative program." Fellow members of this committee included officials of Standard Oil of California, which leases part of the Buena Vista Hills reserve from the Navy.

The McClellan committee gave sworn testimony regarding fake telegrams sent by the General Gas Committee to influence the legislation. The testimony showed that 900 telegrams had been received by Senator Edward Thyne from various parts of Minnesota, signed by people who subsequently testified that they had never sent the telegrams. Testimony of Senator Thyne and other witnesses begins on page 310 of the committee report under Senate Resolution 219.

**MR. MORSE.** Mr. President, whether the proponents of Mr. Connally agree or not, the fact is that I believe the allegations, the statistics, the evidence, and the information contained in the Pearson columns are responsible for a considerable amount of the deluge of telegrams and mail and telephone calls that I have been receiving on the Connally nomination. In my judgment, the public wants an answer to them. The public is entitled to an answer. It can be said, "Oh, I am not going to pay any attention to what Pearson says." We cannot sell that to the public. The public is entitled to know whether Pearson is telling the truth in regard to every allegation that he makes in connection with the Connally nomination.

Included in the columns which I have inserted in the RECORD is the one which appeared in this morning's Washington Post. It is the last comment by Pearson on the Connally nomination. Of course, Pearson is not the only source of information that is giving rise to some question marks about this nomination. I wish to point out that, as a matter of public policy, there is grave doubt in my mind, when everyone in the administration knows that we are bound to be confronted each year with great oil problems legislatively in Congress, to appoint a man so closely connected with the oil industry as John B. Connally has been.

It was in 1945 that I made the research study that I used in that year on the historic criteria which had been applied throughout the history of this Republic in connection with the operation of the advice and consent clause of the Constitution.

In that study, which I summarized in the form of a speech in the Senate in 1945, I discussed the four historic criteria that I believed cannot be denied to have been the major criteria of the Senate from the beginning, as applied in connection with its responsibility of giving advice and consent.

As was brought out in the debate today, I brought out in 1945 that the advice and consent clause is a clause of limitation, as we lawyers use that

phrase. It is language which permits of a review. It is language which permits the Senate to say to the President, "Our advice is, You are making a mistake with this nomination, and we are not going to confirm the nomination unless the vote of a majority can be obtained."

What are the four criteria?

First, character. Is the nominee a person of good character? There can be great differences of opinion on that criterion because it is a subjective matter. There can be a great difference of opinion in regard to the matter of character. Certainly our history shows—and I have studied every confirmation vote in the Senate in the history of our country of which there is any record—that the criterion of character does not mean that the individual is superhuman, or that he does not possess any of the human frailties that characterize human beings generally; but that there is no such defect in his character that it can be said because of weakness of character it cannot be expected that this man can perform the high duties of the office to which he has been nominated by the President of the United States.

The second criterion is the criterion of competency. That does not mean, is he the best man for the job from the standpoint of ability. It does not mean that the President appointed the most able man. However, there must be a finding that his record shows that he possesses the mentality and competency on the basis of which reasonable men can agree that he can perform the duties of the office to which he has been nominated.

The third criterion is, Does the nominee believe in our form of government? That brings up the issue as to whether in any particular case the person is subject to any question as to his loyalty, patriotism, and dedication to our constitutional system of government.

The fourth criterion is the matter of conflict of interest. Does he possess, as the result of his background and experience, such a conflict of interest as to justify the conclusion on the part of any Senator that he does not believe the person can perform the duties of his office impartially, unbiasedly, and without being possibly a victim of undue influence because of his past associations and past performances and connections.

Many Senators seem to think that the conflict of interest criterion is limited to the matter of finances. In my judgment they are in error. I believe that the conflict of interest growing out of finances is one manifestation of a conflict of interest. That is easier to prove. That is very objective. Conflict of interest also involves a subjective matter. That is whether, after we have looked over the record of a particular nominee we have doubts still reserved as to the ability of the nominee or the probability of that nominee to perform the duties of his office without possibly being unduly influenced by his past associations, or being suspected of being unduly influenced by his past associations.

I have said in debates before, but I want to repeat the point today, that we have the right to expect the President of

the United States to send us nominees who, like Caesar's wife, can be considered to be above suspicion. In my judgment, this nominee does not meet the Caesar's wife test on the basis of the record that has been made to date on the nomination.

The question of the legislative influencing work of a nominee in times gone by, particularly in the field of the Natural Gas Act and other oil issues, raises a grave doubt in my mind—and if they will say the same things on the floor of the Senate as they have said to me in the cloakrooms of the Senate and in my office—I know grave doubts have also been raised in the minds of other Senators concerning whether or not this man, in fact, is free of a conflict of interest. In my judgment, he is not, on the basis of anything which has been advanced in his support to date.

I do not believe one should be appointed Secretary of the Navy, considering the Navy's great jurisdiction over the naval oil reserves of this country, who has had the past associations with the oil industry that Mr. Connally has had.

Then, too—and there is not a word of it in the committee report—what about the Francis Case case? To what extent was Mr. Connally involved in the attempt, some years ago, when the natural gas bill was before the Senate, to channel into the Francis Case campaign, or into any other receptacle of that Senator, the sum of \$2,500? Knowing FRANCIS CASE, we were not at all surprised when he rejected it. This is a matter of public comment. This is a matter of comment from one of the Pearson columns.

So I point out that the matter of oil, the connection of Mr. Connally with oil, and the Navy's jurisdiction over the great naval oil reserves of the country raise grave doubts in my mind as to whether or not this man, in fact, is free of a conflict of interest in the full sense of the meaning of conflict of interest.

It is reported in the press that one member of the committee thought it was a good thing to have in the position of the Secretary of the Navy someone who knew something about oil. I do, too. But it is possible to choose such a person from among many without going into the oil industry itself to get one. Does anyone want to support the proposition that the only person in the United States qualified to serve as Secretary of the Navy and having knowledge of oil has to be one selected from within the oil industry itself, or having the background, association, and past performance in the oil industry of Mr. Connally? Tell that one to the birds, not to me. There are many qualified men who could be appointed to the position of Secretary of the Navy without going into the oil industry to select one of their well-known and able representatives in Washington, D.C., for some years past, one whose name is certainly associated with the special interests of the oil industry.

I voted against Wilson as Secretary of Defense because he was not free of conflict of interest, based upon his past connection with Government contracts. I doubt very much that Connally is free, based upon his past associations with legislation dealing with oil.

Mr. President, the subject of oil was discussed in an article entitled "How Not To Award a Navy Contract," written by a reputable author, Mr. Herbert Solow, and published in *Fortune* magazine for December 1960.

I ask unanimous consent, without my taking the time to read it, that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

#### HOW NOT TO AWARD A NAVY CONTRACT

(By Herbert Solow)

In April 1959 the U.S. Navy made what seemed to be a routine contract award to an enterprise called Transport Co. of Texas. The contract, which runs until next October, has become the object of widespread criticism. There has been gossip to the effect that it was politically influenced, and the name of LYNDON B. JOHNSON keeps popping up in the case, though his role seems to have been that of an innocent bystander. Even aside from politics, however, the case suggests that the Navy manages some of its business affairs with less logic than U.S. taxpayers have a right to expect.

The contract stipulates that T.C.T. shall serve as a kind of "housekeeper" in the Marshall Islands, on Kwajalein Atoll, which is slated to be an important adjunct of the Navy-operated Pacific missile range. T.C.T. provides transient Government planes and crews with terminal, refueling, and maintenance services, and a hotel and other facilities. For on-station Government personnel, who may soon number around 2,000, it also operates and maintains power and sea-water distillation plants, sewerage and firefighting services, schools and churches, and other facilities. The point of turning over such jobs to a civilian contractor is primarily to conserve uniformed personnel for military missions, but the Air Force has also found that civilians can do the jobs more cheaply and efficiently than its own personnel can. Presumably, civilians could save money for the Navy, too.

It is not the use of a civilian contractor, but the contracting procedure in this case, that has stirred up all the fuss about Kwajalein. Some of the bitterest critics are defeated competitors for the award. "If this sort of thing can go on," one of them told *Fortune*, "we will consider ignoring Navy invitations to bid." Since he and other defeated competitors are hardheaded businessmen who win their share of contracts and do not automatically cry foul when they lose, they cannot be dismissed out of hand. The Navy itself defends the Kwajalein award. However, one admiral concerned with it has acknowledged to *Fortune* that the unprecedented procedure followed by the Navy's Bureau of Aeronautics in making the award was "not necessarily logical."

#### WHAT'S FEASIBLE IN THE PACIFIC?

The story begins in August 1952, when the commander in chief of the Pacific Fleet informed the Chief of Naval Operations that he was short of uniformed personnel and wanted to replace his Kwajalein base forces with civilians. The Navy had not previously used a civilian housekeeper, but the C.N.O. in September ordered the Bureau of Aeronautics (later merged into the Bureau of Naval Weapons) to seek one. The Bureau's Shore Establishments Division was to undertake the procurement, not only for Kwajalein, but also for naval stations on Guam and Midway.

Since it was not, at first, certain how big these jobs would become, the Shore Establishments Division decided on a cost-plus-fixed-fee rather than a fixed-price arrangement. The Navy also decided to hire a civilian organization to analyze the prob-

lems and estimate the economies involved in the civilian housekeeping program. The Navy set aside the contract for this preliminary job for bids by small business, defined under the Small Business Act as independent companies that do not dominate their field and employ no more than 500. T.C.T. and three other eligible companies drawn from a master list were asked to bid for the study contract.

T.C.T. offered to deliver the feasibility study, as it is called in Navy parlance, by January 1959. The company said its expenses would be \$4,000 and its fee \$1. T.C.T.'s bid was the lowest, and on November 3, 1958, the company and the Navy signed a contract for the study. (The bid, as it turned out, was unrealistic; eventually, the Government paid T.C.T. about \$6,800 for expenses.) Two company executives visited the three islands, spending about 10 days on Kwajalein, and late in January turned in their report.

Meanwhile Rear Adm. R. M. Reynolds, Assistant Chief for Maintenance and Support in the Bureau of Aeronautics, ordered a panel of four Bureau employees to suggest an appropriate procurement procedure for the housekeeping contracts. He told the panel that the Kwajalein project was especially urgent. Apparently because of this urgency, the panel recommended against competitive bidding and for negotiation with a "sole source." The panel also recommended that T.C.T. be the sole source. The original reason for this choice appears to have been T.C.T.'s unique familiarity with current conditions on Kwajalein—i.e., the familiarity the two company executives had acquired during their Government-financed visit. In reply to questions from *Fortune*, however, the Navy has advanced supplementary reasons for selecting T.C.T. Some of them are puzzling.

The Navy says that there was a lack of interest among other contractors when the feasibility contract was up. Yet two of the other three companies then invited did, in fact, respond and submit bids.

The Navy cites T.C.T.'s familiarity with naval air stations. It is true that the company had for some years been engaged in contract refueling operations on stateside Navy and Air Force bases. But many U.S. companies, including both of T.C.T.'s rivals in the bidding for the feasibility job, were also familiar with such stations.

The Navy says that T.C.T. had plans for procuring key personnel it would need for its first overseas job. But others already had key men with island experience on their payrolls.

The Navy cites T.C.T.'s readiness to start fast. Actually, T.C.T. was slow in stabilizing its labor force and perfecting its plane-handling operations.

The Navy points out that T.C.T. was classified as a small business. But T.C.T. was not the only small business available, and anyway the housekeeping contract was not a set-aside for small business.

The Navy also cites T.C.T.'s financial capability. But at least one competitor in the feasibility phase had greater financial strength.

Finally, the Navy cites T.C.T.'s "company reputation." Though it did have a good reputation for meeting its bills and for its performance as a refueling contractor, the company's president and principal stockholder had once been the object of a Federal tax-fraud complaint. (By stipulating a negligence rather than a fraud penalty, this was settled for \$200,000, including a claim against the president's wife.) He had once been fined for violating Interstate Commerce Commission trucking regulations. He has since been convicted a second time, along with an affiliate of T.C.T. of which he is also president, and more heavily fined.

It may be relevant to point out here that one member of the panel that recommended

negotiations with T.C.T. as the sole source was a high-ranking civil servant named Clayton Jones, then head of a branch of the Shore Establishments Division. Jones continued to play a role through most of the contracting procedure. Shortly after the contract was signed, he resigned from the Department and took a job as chief of the Pacific operations of T.C.T. at a salary higher than the Navy had been paying him. Jones has told *Fortune* that he did not discuss employment with T.C.T. until after the contract was awarded, and Bureau flag officers express confidence in his integrity.

In any case, Rear Admiral Reynolds immediately passed the panel's choice of T.C.T. up to Rear Adm. R. E. Dixon, then Chief of the Bureau. The latter ordered Rear Adm. Joseph E. Dodson, Assistant Chief for Procurement, to negotiate with T.C.T. and to produce a contract within 10 days. Admiral Dodson completed the negotiations on March 6, 1959, and a cost-plus-fixed-fee contract was ready for signature on March 10. The contract provided for expenditures of \$5,200,000, over a 15-month period; \$340,000 of this amount was to be T.C.T.'s fee. But several interesting events were to intervene before this contract could be signed.

#### THE ADMIRAL HAS MISGIVINGS

First of all, during the sole-source negotiations, representatives of several other companies had got wind of the Kwajalein job and had asked Admiral Dodson if they could bid for it. He says that he began then to feel that sole-source negotiations might prove to be a mistake, after all. He discussed his misgivings with Admiral Dixon, and even while the negotiations with T.C.T. were proceeding he began to explore the possibility of calling for competitive proposals for Kwajalein. (The Guam and Midway contracts were also to be let on a competitive basis.) Admiral Dodson's staff was able to compile a list of a dozen companies that might be interested in and able to do the Kwajalein job.

On March 11, the day after the draft contract with T.C.T. was ready for signature, Admiral Dixon authorized Admiral Dodson to seek competitive proposals. And so, instead of signing at once with T.C.T. the Bureau sent out wires to 12 companies announcing that there would be a briefing session on the housekeeping project. Nine of the companies were modest in size: T.C.T., Baltimore Contractors of Maryland, Standard Construction of Minnesota, M. & T. of Pennsylvania, Moore Service of Texas, Maytag Aircraft of Colorado (unrelated to the appliance company), and three California companies, Transocean Air Lines, Holmes & Narver, and Aircraft Engineering & Maintenance. Three companies were substantially larger: Pan American World Airways of New York, Lockheed Aircraft of California, and Chance Vought Aircraft of Texas. (Chance Vought had just been the victim of two big hardware contract cancellations by the Navy, and badly needed orders of any kind.)

The response to the notice was good, perhaps because the companies felt that the housekeeping contracts might lead to others connected with the burgeoning Pacific missile range. As a business opportunity these might, in fact, challenge the Atlantic missile range, where the Air Force budget for civilian contractors has run as high as \$250 million annually. Forty-eight hours after the invitations went out, representatives of 12 companies assembled in Washington for the briefing.

#### "SO YOU WILL BE TAKING A CHANCE"

When the meeting began, each representative identified himself and his company. The Navy's minutes show that the T.C.T. spokesman took this opportunity to declare that his presence was "not to be construed as indicating any acquiescence" in the competitive procedure. This may have been T.C.T.'s way of laying a basis for a protest in case it



should lose out. However, the presiding Navy officer merely replied, "All right, sir," and apparently none of the other company representatives saw any significance in the exchange. The presiding officer then announced that this was to be "one of the shortest briefing sessions that has ever been held in the hallowed halls of BuAer." The companies were free to bid on any one, any two, or all three, of the islands. The Navy explained its housekeeping requirements on Midway (which was eventually dropped from the civilian contracting program), Guam (which needed only a refueling service), and Kwajalein. Detailed job specifications were set forth in a 6-inch-high stack of documents distributed to the competitors on the morning of briefing day. Concerning Kwajalein, there were two documents. One, 38 pages long, described the many chores to be done on the atoll, as well as the allowable basic civilian pay rates, housing costs, and the like. The other, 27 pages long, was the feasibility study, identified on its face as a T.C.T. product. It described the available facilities and noted some special Kwajalein problems (tropical heat and the corrosive effect of high humidity and salt-water spray). The study also estimated that proceeding through civilian contractors would cost up to \$6,660,000.

Introducing this last figure, T.C.T.'s original estimate of the cost would have been fair enough had the Navy qualified it. But the competitors were not told that the figure had already been knocked down to \$5,200,000. They were not even told that there had been negotiations with T.C.T. as the sole source.

The company representatives were given the morning hours to study the documents. After lunch there was a supplementary verbal briefing, at which the Navy chairman laid out one particularly onerous requirement: that proposals for all three islands be submitted within 6 days. The Navy's minutes show that the chairman said of this condition: "Please do not request any deviation or any extension of time \* \* \* two of you gentlemen have asked concerning a hurried visit to one or all of these islands." The Navy, he said, would try to get clearance from the commander in chief of the Pacific Fleet, in Honolulu, but "from there you operate in accordance with space available \* \* \* in other words, Cincpacft sits in judgment on your visit \* \* \* so you will be taking a chance having your representative getting to his destination."

One company executive asked when the award would be made. The Navy chairman said March 20—i.e., within 8 days. "You are a pretty ambitious group," commented the questioner. "Yes, sir," replied the chairman. The competitors burst out laughing. "Frankly," the chairman added, as the meeting drew to a close, "we have to run over this at breakneck speed." He then invited all hands to have a cup of coffee. One company representative exclaimed, "Who's got the time?" The minutes record more laughter.

#### MODIFYING THE REVIEWERS

One immediate, and predictable, effect of the 6-day limit was to prevent T.C.T.'s competitors from sending anyone to see Kwajalein. It is scarcely surprising, therefore, that some companies did not bother to submit proposals for that island. The Navy says that one company abandoned its expressed interest after an unsuccessful effort to get the 6-day deadline altered.

Six new proposals were submitted, however. The Navy characterized some as not responsive to the bid request or as not in conformity with requirements and gave them no further consideration. One proposal that was considered further by a Procurement Review Board was T.C.T.'s. The company proposed simply to sign the shelved contract. The Board also considered further a proposal by Pan American to undertake all three

island jobs. No details of this proposal have been disclosed. However, on March 19, the Board unanimously recommended to Admiral Dodson that he accept Pan American's proposal.

The next day Admiral Dodson took an unusual step. He modified—as he puts it—the Board's recommendation by splitting the award. He says that he did this "for the good of the country," and goes on to explain that it was important to open the Pacific missile range to some company other than Pan American, which already dominated Atlantic missile range contracting. He points to a Procurement Review Board suggestion that "if a split award were desired," the Kwajalein contract should go to T.C.T.—though the Board did not recommend a split award. Admiral Dodson has offered Fortune an additional reason for modifying rather than adopting what the Board did recommend. He says that there was a moral obligation toward T.C.T. because the Navy had put T.C.T. to great expense during the sole-source phase of the negotiations.

After Admiral Dodson's modification, in any event, the Navy moved fast. Admiral Dixon approved the new recommendation on the same day and on April 1, without further negotiation, the Navy took its contract with T.C.T. off the shelf and signed it. The Navy accepted the terms worked out earlier, apparently down to the last comma.

It may be appropriate here to ask why the Navy felt no moral obligation to T.C.T.'s competitors whom it had invited to make proposals. They had sent representatives to the Washington meeting in good faith and at some expense, expecting to take part in a bona fide competition. Half of them incurred additional expenses in drawing up and submitting proposals.

And then there is the question of whether the Navy fulfilled its moral obligation to U.S. taxpayers. After all, if T.C.T.'s favored status had been known to the other competitors, and especially if they had been in a position to learn that T.C.T. was ready to accept a \$5,200,000 cost estimate, they might have had a compelling incentive to work out responsive, conformable bids at lower figures.

The taxpayers' interest may be gaged from the rate at which the Kwajalein job has been expanding. The \$5,200,000 estimate for the first 15 months was followed by a \$13,300,000 estimate when the contract was extended for another 15 months. The \$18,500,000 total includes \$1 million in fees for T.C.T.

#### THE FRIENDS OF ED LINKENHOGER

Why did the Transport Co. of Texas get all this special treatment? What is T.C.T., anyway? Its home office is in Corpus Christi, Tex., and it is the nucleus of a group of companies engaged in varied petroleum-products operations—selling, hauling, fabricating bulk containers, and refueling aircraft on military fields. Its president and chief stockholder is Edgar M. Linkenhoger, 49, a stocky, blue-eyed, hardboiled operator. He used to be a produce trucker in Robstown, Tex., and he got into military contracting during World War II. Though allocations for essential materials were hard to come by during the war, T.C.T. always seemed able to get what it needed, and its business boomed. Today Linkenhoger has a fine home in Corpus Christi, flies his own plane, and is said to be worth around \$3 million. In addition to running T.C.T., he dabbles in real estate and is a director of a local life insurance company. Linkenhoger has long been close to George Parr, the longtime political boss of nearby Duval County, and to LYNDON JOHNSON.

Another stockholder, originally and perhaps still the second largest, is John E. Lyle, Jr., a war hero and attorney. In 1944, Linkenhoger and Parr backed him in a successful race for the 14th Congressional District,

which includes Corpus Christi. His firm, Head & Lyle, has been doing legal work for Linkenhoger and his companies ever since. In Congress, from 1945 to 1954, Lyle was a Lyndon Johnson man.

The third largest T.C.T. stockholder at the time of incorporation in 1951 and presumably until his death in 1959, was oilman Sid Richardson, who was long a financial supporter of Lyndon Johnson campaigns.

Linkenhoger, Lyle, and other T.C.T. people were among the initiators of Johnson-for-President organizations in Nueces County (Corpus Christi). Cecil Burney, a member of a Corpus Christi law firm that shares T.C.T.'s legal work with Lyle, is one of the top Johnson men in southern Texas politics. W. A. Wakefield, who is on the Linkenhoger payroll, doing, he says, "special work and things like that, more or less public relations," is an active Democrat from Corpus Christi. Says Wakefield of JOHNSON: "I know him casually, but I'm not real close to him—I'll put it like that."

JOHNSON is closer to another Linkenhoger business associate. This man is the Senator's brother, Sam Houston Johnson. Sam Houston, 5 years younger than LYNDON, has held a variety of jobs with the Federal Government and with the Senator. He has also been a paid Linkenhoger consultant. His first business connection with Linkenhoger seems to have been in 1949, when he worked for the partnership that preceded the reorganization of T.C.T. as a corporation. In 1955 he was with Star Tank & Trailer, another Linkenhoger-Lyle organization, but left that summer to help his brother after the latter's heart attack. Early this year he returned to Star Tank as a consultant at \$500 a month. His duties are, he says, confidential, but include what he has described to Fortune as appearing at conferences with Linkenhoger.

Sam Houston Johnson's last U.S. Government job was as a \$16,000 clerk to the Conference of Democratic Senators, of which Senator JOHNSON is the head. (After a 1959 newspaper clamor against congressional nepotism, Sam Houston resigned.) While on that job, he has said, he was off the Linkenhoger payroll. But the period of his service as a Senate clerk was also the period of the Kwajalein contracting procedure, and when Linkenhoger was in Washington on Kwajalein business, he visited Sam Houston's Senate office and—Sam Houston has said—they would "have dinner together and so forth."

Is it likely, or possible, that, even without Senator JOHNSON's knowledge or approval, reference to his power and prestige helped to mold a procedure that was unprecedented and favorable to T.C.T.? JOHNSON's power and prestige are, of course, well known to the Navy. In the House, JOHNSON was on the Naval Affairs Committee. As a Senator, and as majority leader, he has long been influential on other committees with great power over the Navy.

#### A NAME IS DROPPED

Among the Navy officers who had heard of a link between Sam Houston Johnson and Linkenhoger's company was Admiral Reynolds, the officer who first recommended to Admiral Dixon that T.C.T. be the sole source. Admiral Reynolds says that he was not influenced by hearing about Sam Houston. Indeed, he says he cannot remember who told him about Sam Houston's T.C.T. connection. It also appears that he cannot remember how far the conversation went. He wrote to Fortune that after somebody told him about the connection, "There was the inevitable question, 'You know who he is?' to which I probably made no answer \* \* \* which is my usual procedure with name droppers who are attempting to impress me."

If Admiral Reynolds is uncertain in his memory, another Navy officer, now in civilian

life, alleges one vivid recollection about name dropping. He has stated that, during the contracting period, a T.C.T. executive said to him: "We are in like Flynn, because Linkenhogor is a good friend of LYNDON JOHNSON."

LYNDON JOHNSON and his brother, Admirals Dixon, Reynolds, and Dodson and Linkenhogor all deny that any authorized or unauthorized Johnsonian political pressure was put on the Navy. The denial is supported by Clayton Jones, who helped the Bureau of Aeronautics produce the contract, and who is now with T.C.T. And the Secretary of the Navy has given the T.C.T. award his blessing in a letter to LYNDON JOHNSON. However, the letter contains some evidence that the Secretary does not know what went on; unlike his admirals, who know that their procedure had no precedent, he calls it standard.

Linkenhogor offers his own explanation of why T.C.T. got the Kwajalein contract. He contends that T.C.T. was the best entry in the field, and adds: "There had been two or three Navy captains on Kwajalein who, you might say, hadn't done a damn thing, just serving themselves. It's a hell of a long story. It's none of the public's business. There's no telling what it would have cost the taxpayers if we hadn't got the contract. Best we could tell, never before had a contract of this nature been taken at the price we took it. It looks like that west coast crowd [i.e., Lockheed and others that entered bids] thought nobody else should get this business. It apparently was a shock to them and their hirelings began fabricating rumors. But there's no scandal involved."

Asked whether T.C.T. ever discussed its interest in Kwajalein with any Navy personnel at a higher level than the Bureau of Aeronautics, Linkenhogor commented: "I'm not going to tell my competitors how I operate."

Mr. MORSE. Mr. President, let no one think I find it pleasant to raise any question concerning one of the nominees of the President of the United States, for whom I have such great admiration, and who, I believe, on yesterday, as I said last night to a group, made one of the historic speeches of our entire history. I am not talking about one of the historic inaugural speeches of our history; there is no question about that. The President made one of the historic speeches that have been made by any President of the United States in all our history. I think it will be ranked as one of the 20 or 25 greatest speeches made by American Presidents throughout our country's history.

I had hoped I would not have a reservation about any of the President's nominees to his Cabinet. But I took an oath, as he did yesterday, to uphold the Constitution, he in his capacity as President, and I in my capacity as a Senator. That oath carries with it the responsibility to live up to my obligation under the advice and consent clause. Based on my judgment, on the basis of the record presented up to this hour, the nomination by the President of Mr. John B. Connally to be Secretary of the Navy is not one that is free of a conflict of interest in the broader sense of that term, because of Mr. Connally's past association with the oil industry. In my judgment, while he was acting as Secretary of the Navy, he would be bound to be suspect because he does not meet the Caesar's wife test.

Unless there can be a much clearer justification of this nomination than I

have heard to date—and the committee's report is of no aid to me in this matter—I shall vote against the nomination. In the event of the possibility that I may not be in the Senate when this nomination is acted upon, I want the RECORD to show my opposition to it as of now; and I want the staff of the Senate to record me as opposed to the nomination, when the RECORD is made, unless they hear from me to the contrary between now and the vote on the nomination.

I yield the floor.

#### THE NEW YORK HARBOR STRIKE

Mr. KEATING. Mr. President, the new Secretary of Labor, Mr. Arthur Goldberg, is off to a good start in his new position. Even before his nomination was unanimously confirmed by the Senate, he vigorously asserted his interest in helping to resolve the present and very acute New York Harbor labor dispute. I am hopeful that his effort will contribute to a speedy and satisfactory solution of that crippling strike.

It was most unfortunate, of course, from Governor Rockefeller's point of view, and also the point of view of all of us, that the Governor was not able to be in Washington yesterday. There is no question that he would have liked to be here. An American Presidential inauguration is an important and significant occasion. In the finest American tradition, the Governor of New York wanted to be here to participate in the solemn ceremony which marks the turning over of the reins of American leadership.

But Governor Rockefeller is saddled with a serious responsibility in the State of New York. I refer to the New York Harbor strike, which has disrupted transportation throughout the State of New York and all along the east coast. A heavy responsibility has fallen upon his shoulders.

The Governor of New York has requested a suspension of the picketing for 10 days. He has forcefully urged that this be done. Governor Rockefeller is to be commended for his vigor and his firmness in handling this dispute. I very much hope that his efforts will be fruitful.

It is absolutely imperative that recognition be given to the fact that in disputes such as this, the public interest must be paramount.

Commuters, residents of the city of New York, and travelers into and out of the city of New York have been greatly inconvenienced as a result of the New York Harbor dispute.

Over the past several days I have on several occasions been in close touch with the National Mediation Board, which has jurisdiction in this dispute. I have urged that it leave no stone unturned in its efforts to bring these parties together.

Governor Rockefeller, his administration, the local officials, and all who represent the people of the communities affected by the strike, are agreed that a speedy and satisfactory settlement must be reached. Snow and ice have compounded the frustrations of the com-

muters who are affected by this dispute, just as snow and ice have confounded many of us here in Washington, during the last few days. The patience of New York commuters has been sorely tried. Their interests must be protected. The parties to the strike have a fundamental and far-reaching obligation to move with dispatch. Men and women all over the Nation are looking over their shoulders and are giving serious thought to the issues and to the impact of this unfortunate dispute.

And it must be remembered, too, that we in the Congress have to consider incidents such as this one in connection with our responsibilities as legislators.

Again, I commend both Governor Rockefeller for his close attention to his job and the Secretary of Labor, Mr. Goldberg, for his forthright action.

#### CONFIRMATION OF CABINET NOMINATIONS

Mr. HUMPHREY. Mr. President, first, I wish to join the majority leader, the Senator from Montana [Mr. MANSFIELD], in noting that although my comments on the President's nominations to the Cabinet which were acted upon today were limited to only two—namely, the nomination of Governor Freeman, of Minnesota, to be Secretary of Agriculture, and the nomination of Mr. Stevenson to be Chief of Mission and U.S. Ambassador to the United Nations—I wish the RECORD to show quite clearly that in each and every instance I could have, and would have liked to do so, pay my respects to the other nominees, and to cite for the RECORD, even if only briefly, their excellent accomplishments and their dedication and devotion to public duty and public service.

I am particularly heartened by the action of the Senate on the nomination of Dean Rusk to be Secretary of State and by the action of the Senate on the other nominations made by President Kennedy to important positions in the State Department.

Of course I shall take an active interest in the other nominations, as they are presented to us, and shall make whatever comments I deem necessary.

#### VISIT TO THE SENATE BY THE DUKE OF DEVONSHIRE

Mr. HUMPHREY. Mr. President, before the Senate adjourns, I wish to call its attention to the presence in the Chamber of a very distinguished visitor who comes to us today as a friend of many of the Members of the Senate—in particular, the Senator from Rhode Island [Mr. PELL]. There is now in the Chamber the Honorable Andrew Cavendish, Duke of Devonshire, a Member of the House of Lords of Great Britain. For 10 years, as well as presently, he has been a member of the administration of the British Government, serving as Under Secretary for Commonwealth Affairs. He is truly a distinguished visitor to these shores; and, as I have already indicated, he is a Member of the British Parliament, one of the truly great Parliaments of freemen



in the world. He is also, I believe, brother-in-law of the Prime Minister of Great Britain, Sir Harold Macmillan.

I wish to welcome this distinguished citizen of Great Britain, and to let one and all know that the Cavendish family is well recognized for its dedication to public service and for its great, liberal traditions.

Mr. KEATING. Mr. President, will the Senator from Minnesota yield to me?

The PRESIDING OFFICER (Mr. BURDICK in the chair). Does the Senator from Minnesota yield to the Senator from New York?

Mr. HUMPHREY. I am happy to yield.

Mr. KEATING. On behalf of the minority, I wish to join in this tribute to our distinguished visitor. He knows more about being in the majority than does the present speaker, who has had very little experience in that happy state during his 14 years in the Congress. [Laughter.]

We welcome our visitor to our shores. We know of his distinguished career. He knows, as well as we do, of the great ties which bind his country and ours. I know that I can express, in this Chamber, the affectionate greetings of all Members of the Senate, on both sides of the aisle.

[Applause, Senators rising.]

#### ADJOURNMENT TO MONDAY

Mr. HUMPHREY. Mr. President, unless there is other business to be transacted at this time—and I gather there is none—I now move, under the order previously entered, that the Senate adjourn until Monday next, at noon.

The motion was agreed to; and (at 3 o'clock and 5 minutes p.m.) the Senate adjourned, under the previous order, to Monday, January 23, 1961, at 12 o'clock meridian.

#### NOMINATIONS

Executive nominations received by the Senate January 21, 1961:

The following-named persons to the offices indicated:

##### DEPARTMENT OF STATE

Chester Bowles, of Connecticut, to be Under Secretary of State.

George W. Ball, of the District of Columbia, to be Under Secretary of State for Economic Affairs.

Roger W. Jones, of Connecticut, to be Deputy Under Secretary of State.

G. Mennen Williams, of Michigan, to be an Assistant Secretary of State.

##### DEPARTMENT OF THE TREASURY

Henry H. Fowler, of Virginia, to be Under Secretary of the Treasury.

Robert V. Roosa, of New York, to be Under Secretary of the Treasury for Monetary Affairs.

Mrs. Elizabeth Smith, of California, to be Treasurer of the United States.

##### DEPARTMENT OF DEFENSE

Roswell L. Gilpatric, of New York, to be Deputy Secretary of Defense.

Elvis J. Stahr, Jr., of West Virginia, to be Secretary of the Army.

John B. Connally, Jr., of Texas, to be Secretary of the Navy.

Eugene M. Zuckert, of Maryland, to be Secretary of the Air Force.

Charles Johnston Hitch, of California, to be an Assistant Secretary of Defense.

Paul H. Nitze, of Maryland, to be an Assistant Secretary of Defense.

Arthur Sylvester, of the District of Columbia, to be an Assistant Secretary of Defense.

Thomas D. Morris, of Maryland, to be an Assistant Secretary of Defense.

Cyrus Roberts Vance, of New York, to be General Counsel of the Department of Defense.

Joseph V. Charyk, of California, to be Under Secretary of the Air Force.

Lyle S. Garlock, of Minnesota, to be an Assistant Secretary of the Air Force.

James Henry Wakelin, Jr., of New Jersey, to be an Assistant Secretary of the Navy.

##### DEPARTMENT OF JUSTICE

Byron R. White, of Colorado, to be Deputy Attorney General.

Archibald Cox, of Massachusetts, to be Solicitor General of the United States.

##### POST OFFICE DEPARTMENT

H. W. Brawley, of Virginia, to be Deputy Postmaster General.

##### DEPARTMENT OF THE INTERIOR

James K. Cair, of California, to be Under Secretary of the Interior.

Kenneth Holum, of South Dakota, to be an Assistant Secretary of the Interior.

John A. Carver, Jr., of Idaho, to be an Assistant Secretary of the Interior.

Frank Barry, of Arizona, to be Solicitor for the Department of the Interior.

##### DEPARTMENT OF COMMERCE

Edward Gudeman, of Illinois, to be Under Secretary of Commerce.

##### DEPARTMENT OF LABOR

William Willard Wirtz, of Illinois, to be Under Secretary of Labor.

Jerry R. Holleman, of Texas, to be an Assistant Secretary of Labor.

Mrs. Esther Peterson, of Virginia, to be Director of the Women's Bureau, Department of Labor.

##### DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Alanson W. Wilcox, of the District of Columbia, to be General Counsel of the Department of Health, Education, and Welfare.

##### COUNCIL OF ECONOMIC ADVISERS

Walter W. Heller, of Minnesota, to be a member of the Council of Economic Advisers.

Kermit Gordon, of New York, to be a member of the Council of Economic Advisers.

James Tobin, of Connecticut, to be a member of the Council of Economic Advisers.

##### GENERAL SERVICES ADMINISTRATION

John Moore, of Pennsylvania, to be Administrator of General Services.

##### EXPORT-IMPORT BANK

George Docking, of Kansas, to be a member of the Board of Directors of the Export-Import Bank of Washington.

##### VETERANS' ADMINISTRATION

John S. Gleason, Jr., of Illinois, to be Administrator of Veterans' Affairs.

##### ATOMIC ENERGY COMMISSION

Glenn T. Seaborg, of California, to be a member of the Atomic Energy Commission for the remainder of the term expiring June 30, 1963.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate, January 21, 1961:

##### DEPARTMENT OF STATE

Dean Rusk, of New York, to be Secretary of State.

##### DEPARTMENT OF THE TREASURY

Douglas Dillon, of New Jersey, to be Secretary of the Treasury.

##### DEPARTMENT OF DEFENSE

Robert S. McNamara, of Michigan, to be Secretary of Defense.

##### DEPARTMENT OF JUSTICE

Robert F. Kennedy, of Massachusetts, to be Attorney General.

##### POST OFFICE DEPARTMENT

J. Edward Day, of California, to be Postmaster General.

##### DEPARTMENT OF THE INTERIOR

Stewart Lee Udall, of Arizona, to be Secretary of the Interior.

##### DEPARTMENT OF AGRICULTURE

Orville L. Freeman, of Minnesota, to be Secretary of Agriculture.

##### DEPARTMENT OF COMMERCE

Luther H. Hodges, of North Carolina, to be Secretary of Commerce.

##### DEPARTMENT OF LABOR

Arthur J. Goldberg, of Illinois, to be Secretary of Labor.

##### DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Abraham Ribicoff, of Connecticut, to be Secretary of Health, Education, and Welfare.

##### UNITED NATIONS

Adlai E. Stevenson, of Illinois, to be the representative of the United States of America to the United Nations with the rank and status of Ambassador Extraordinary and Plenipotentiary, and the representative of the United States of America in the Security Council of the United Nations.

## SENATE

MONDAY, JANUARY 23, 1961

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

Msgr. Nicholas Babak, rector, St. Basil's College and Preparatory School, Stamford, Conn., offered the following prayer:

O almighty and everlasting God, Creator of the world and its people, we, Thy servants, thank Thee for the many blessings Thou hast bestowed upon us. Especially do we thank Thee for the blessings Thou hast showered upon these United States of America and its citizens. We are thankful to Thee that we live in a land of plenty, where we enjoy the priceless gift of liberty.

O merciful Father, endow our new President and the Members of the Senate with vigorous health and the strength to fulfill the exhausting demands of their office. Give them the wisdom always to perceive what is right, and the courage to be leaders in the fight against injustice. May they ever be mindful of the common good, and avoid selfish gain. Grant that they continue to be the hope of freedom for the oppressed according to the spirit expressed in the Captive Nations Week resolution of the Congress.

We humbly pray for the liberation of all enslaved people. Especially on this celebration of the 43d anniversary of Ukraine's independence, we pray that the Ukrainian people will be given the strength to bear the sufferings of ruthless persecution inflicted upon them by the forces of godless and imperialistic communism. Bless them with ultimate victory in their struggle for freedom, so